



# **Hardin County Board of Adjustment**

## **5 February 2026**

**County Government Center  
Second Floor Meeting Room**

Owners: Bonnie & Michael Wilson



**Location**      A 0.574 acre site located at 140 Defew Avenue, Rineyville, KY known as Blackburn Estates, Section 2, Lot 62

**Zoned**          Urban Residential (R-1)

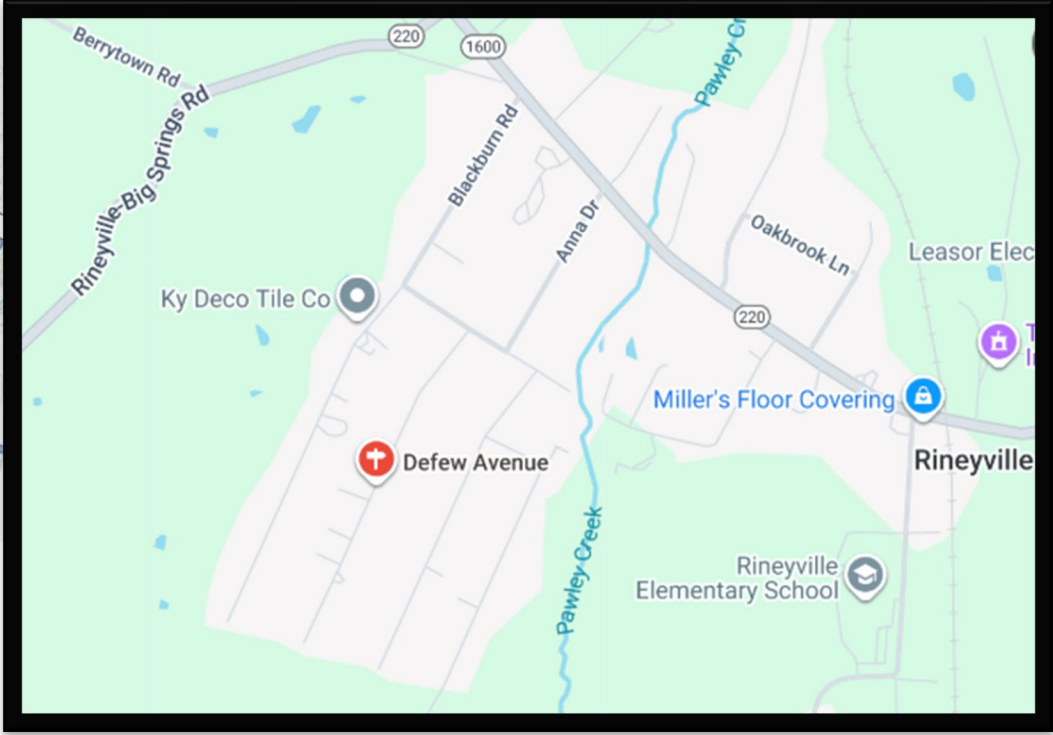
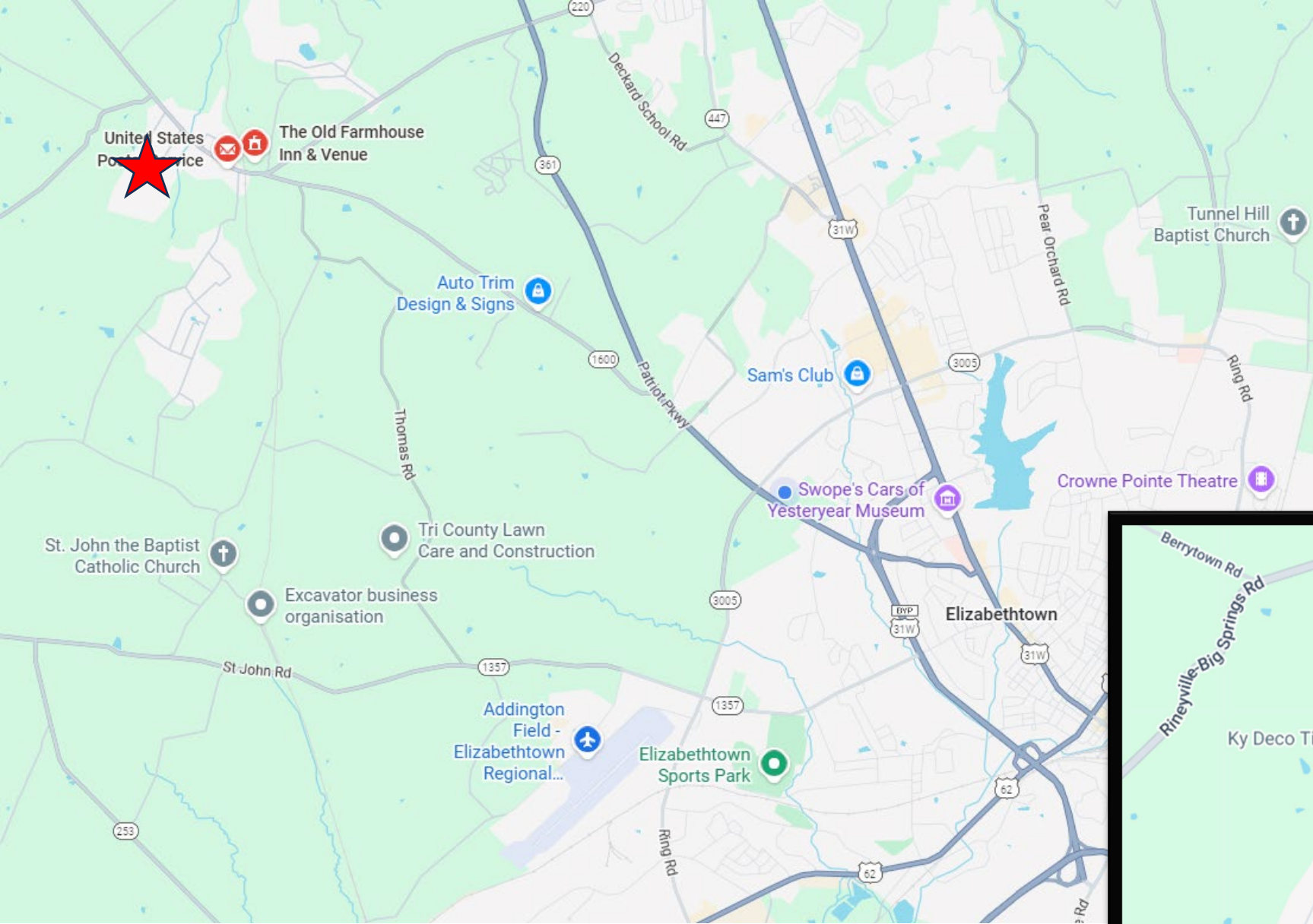
**Request for a Conditional Use Permit to allow for an existing 24'x26' garage on a vacant lot.**

140 Defew Avenue  
Conditional Use Permit  
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Record Plat of Blackburn Estates, Section 2 (1971)**
- E. Character of the Site Analysis**
- F. Site Plan**
- G. Photos of the Site**
- H. Analysis of other Conditional Use Permits for Accessory Structures**
- I. Character of the Area Analysis**
- J. \*Comprehensive Development Guide**
- K. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint





☐ ☒ MasterZone

DISTRICT

A-1

B-1

B-2

C-0

C-1

C-2

I-1

I-2

IH

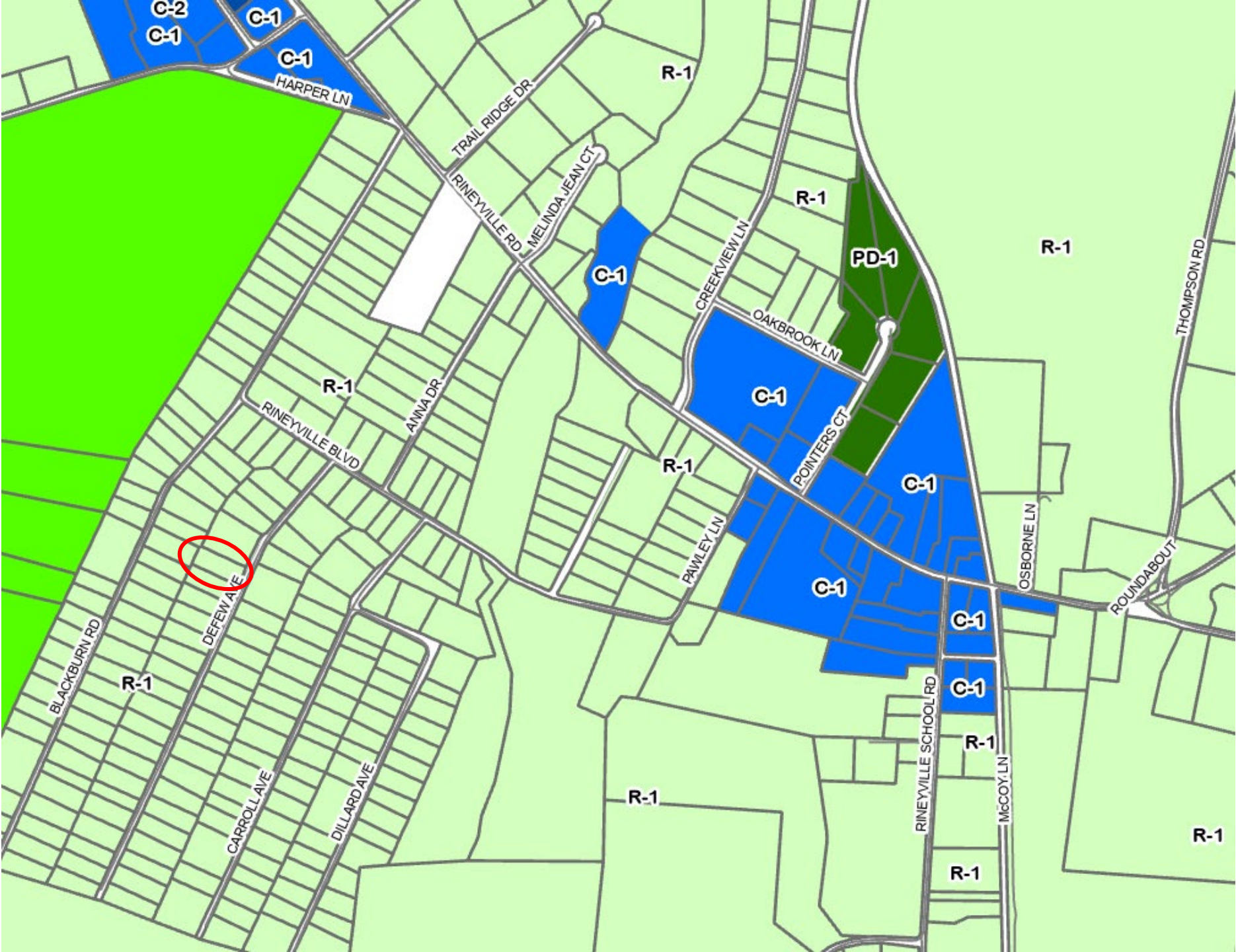
PD-1

R-1

R-2

R-3

R-4



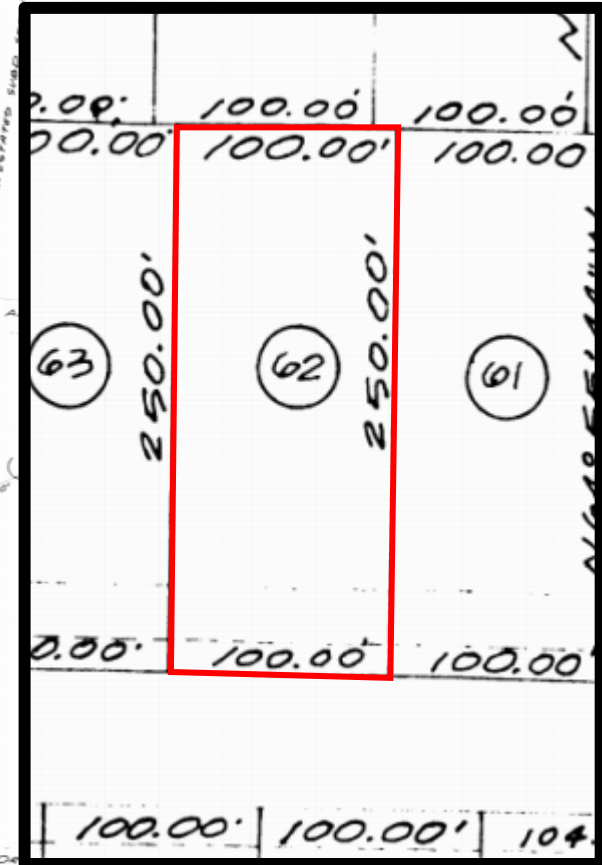
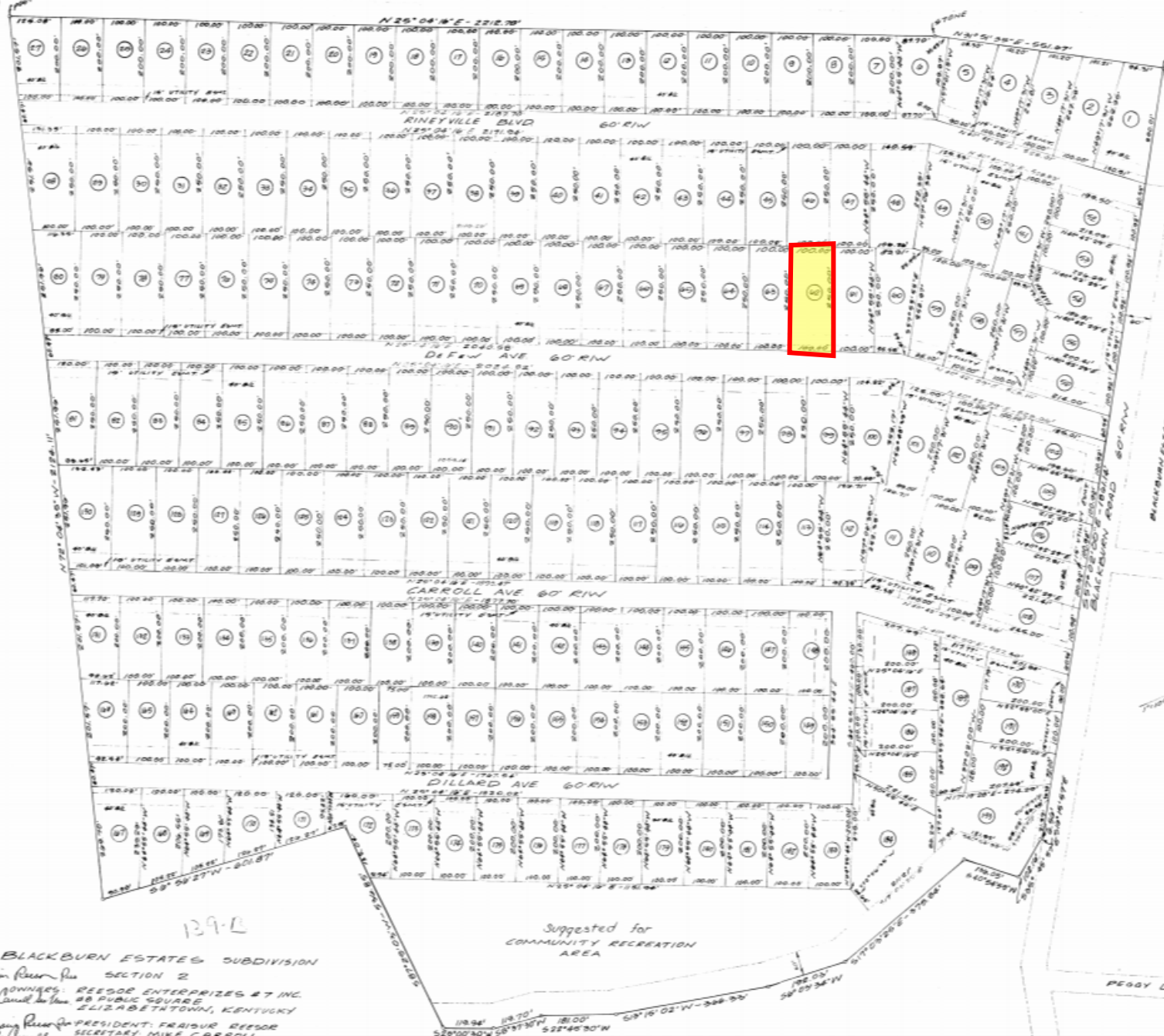


- ☒ Streams 2023
- ☒ Hardin\_Wetlands
- ☒ Hardin\_100Flood
- ☒ hardin\_sinkhole





38



139-2  
 BLACKBURN ESTATES SUBDIVISION  
 Section 2  
 Owners: REEDOR ENTERPRISES & INC.  
 20 PUBLIC SQUARE  
 ELIZABETHTOWN, KENTUCKY  
 President: FRANK REEDOR  
 Secretary: MIKE CARROLL  
 before signed before me this May 11, 1971  
 my commission expires Dec 1, 1973  
 Virginia H. Richardson, Notary Public



139 Defew Avenue, Rineyville, KY  
(Owners House across the street)



0.574 acres  
with existing  
septic system  
on site

24'x26' garage on vacant lot







2020 Aerial Photo  
-vacant-



2017 Aerial Photo  
-manufactured home on site-















## CHARACTER OF THE AREA





Permit Date ⬆️	Owner ⬆️	PVA Map Number ⬆️	Type ⬆️	Zone ⬆️	Project / Subdivision Name ⬆️	Request ⬆️	Site Address ⬆️	Expiration Date ⬆️	Status ⬆️	Final Date ⬆️
01/05/2026	WILSON MICHAEL JUNIOR & BONNIE GAYLE	121-00-0B-062	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	BLACKBURN ESTATES, SECTION 2, LOT 62	TO ALLOW FOR A 24'X26' GARAGE ON A VACANT LOT	140 DEFEW AVENUE, RINEYVILLE, KY	04/15/2026	PENDING	
08/25/2025	NEWMAN HAROLD & SHIRLEY	232-20-00-025.03	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	NEWMAN ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 40' X 80' GARAGE ON A VACANT LOT	1905 SPRINGFIELD RD	12/03/2025	APPROVED	10/16/2025
05/01/2025	TYLER WEBB	229-00-00-059	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WEBB CUP FOR ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 33' X 40' CARPORT WITH A GARAGE ON A LOT PRIOR TO BUILDING A HOUSE (ACCESSORY STRUCTURE ON A VACANT LOT)	1850 WOOLDRIDGE FERRY ROAD	06/12/2028	APPROVED	06/12/2025
03/10/2025	ASHLEY HENSLEY	233-00-00-038	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	A HENSLEY ACRES, LOT 1	ACCESSORY STRUCTURE ON A VACANT LOT	1738 VALLEY CREEK ROAD, ELIZABETHTOWN, KY		APPROVED	04/17/2025
11/22/2024	EMMERLING, MICHELLE & JEFFREY	129-00-00-002.05	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	EMMERLING CUP	TO ALLOW FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE ON A VACANT LOT FOR A 14' X 40' SHED TO SERVE AS FISHING AND KAYAK STORAGE	W WHITE MILLS GLENDALE ROAD, GLENDALE, KY		APPROVED	12/19/2024
08/01/2024	ROGERS RONNIE & MICHELE LEE	123-00-0A-062	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WINGATE WEST, LOT 63 - ROGERS SHED ON VACANT LOT	TO ALLOW FOR A SHED ON A VACANT LOT	393 SANTA FE TRAIL		APPROVED	09/05/2024
05/20/2024	GIELOW THOMAS E & LINDA J	142-00-04-008 & 008.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	GIELOW ACCESSORY STRUCTURE	TO ALLOW FOR A SHED ON A VACANT LOT	BURNS RD		APPROVED	07/18/2024
09/28/2023	STEPHENS, CAROL & FLOYD	143-00-03-014	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	OAKWOOD FARMS, LOT 1A	TO ALLOW FOR AN 18'X40' CARPORT ON A VACANT LOT	OAKWOOD COURT, RINEYVILLE, KY		APPROVED	11/09/2023
05/10/2023	HARRISON JOANNE	116-00-00-020.02	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SAFARI TRAIL SUBDIVISION, LOT 1B - AG BARN ON VACANT LOT	TO ALLOW FOR A PREXISTING 32'x45' AG BARN TO BE ON A VACANT LOT	350 SOLDIER COURT, VINE GROVE, KY 40175		APPROVED	06/22/2023
02/13/2023	KINDERVATER BRAD	224-00-00-060.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SPLIT RAIL SUBDIVISION, LOT 2 - KINDERVATER ACCESSORY STRUCTURE	TO ALLOW FOR A 36'X56' SHOP BUILDING AND A 22'X32' GREENHOUSE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE ( VACANT )	SPORTSMAN LAKE ROAD, ELIZABETHTOWN, KY, 42701		APPROVED	03/23/2023
11/01/2022	STURGEON PAUL D & SHARON P	063-00-00-012	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	KENNETH GOFF SUBDIVISION, SECTION 1, LOT 4 - STURGEON ACCESSORY STRUCTURE WITHOUT A DWELLING	TO ALLOW FOR A 12'x52' EQUIPMENT SHED ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE ( VACANT )	1741 SALT RIVER ROAD, RINEYVILLE, KY 40162		APPROVED	12/08/2022
10/14/2022	MORGAN PATRICK WAYNE & MELISSA	141-00-02-006	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	HICKORY HEIGHTS, SECTION 1, LOT 7 - ACCESSORY STRUCTURE ON LOT WITHOUT A DWELLING	TO ALLOW FOR A 40'x48' METAL (OLYMPIC STEEL) BUILDING ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE ( VACANT )	921 HICKORY DRIVE, VINE GROVE, KY 40175		APPROVED	11/17/2022
06/22/2022	SISCO, WILBURN & KATHY	180-10-03-032	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	TWIN OAKS SUBDIVISION, LOTS 32 & 33 AND TRACT 11 #1	TO ALLOW FOR A 32' X 60' HOOP BARN ON A VACANT LOT FOR HAY STORAGE	778 OAK DRIVE		WITHDRAWN	07/08/2022
06/18/2021	MCCOMB JAMES L & KIMBERLY M	074-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MCCOMB ACCESSORY STRUCTURE	TO ALLOW FOR AN ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE ( VACANT )	WEBB MILL ROAD, EASTVIEW, KY	07/22/2025	APPROVED	
04/28/2021	MILBY GREGORY & JENNIFER	128-00-00-043.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MILBY ACCESSORY STRUCTURE / WILDCAT RUN SUBDIVISION LOT 1 #1	TO ALLOW FOR 2 ACCESSORY STRUCTURES WITHOUT A DWELLING ON SITE ( VACANT )	S LONG GROVE RD. GLENDALE, KY		APPROVED	05/20/2021
07/22/2020	MAIN, JACK W III & MERIAH B	163-00-02-035	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LITTLE IRELAND 35 #4	FOR A 30'X30' ACCESSORY STRUCTURE TO BE BUILT ON A VACANT LOT	JIMMY CT., RADCLIFF, KY		APPROVED	09/17/2020
06/25/2020	RIGGS TERRY & KATHY	224-00-00-080	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE (46'x48' POLE BARN) TO BE BUILT ON A VACANT LOT	OFF SPORTSMAN LAKE RD		APPROVED	08/06/2020
01/13/2020	PUCKETT BEVERLY	122-00-01-026.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LA VISTA, SECTION 2, LOT 88B	TO ALLOW FOR A 16'X24' ADDITION TO AN EXISTING ACCESSORY STRUCTURE (30'X24' POLE BARN) WITHOUT A DWELLING ON SITE ( VACANT )	1296 RINEYVILLE SCHOOL ROAD, RINEYVILLE, KY		APPROVED	02/06/2020
03/13/2018	BELL, KIMBERLY	223-00-0D-012	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SPORTSMAN LAKE 1A #2	TO ALLOW FOR AN ACCESSORY BUILDING ON A VACANT LOT	200 WOODS RD	04/19/2021	APPROVED	04/19/2018



02/27/2018	SULLIVAN JOSEPH R JR & DEBRA L	242-00-02-145	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SANTA FE SUBDIVISION,LOT 145, SECTION 1	TO ALLOW FOR 12 X 20 GARDEN STORAGE SHED ON A VACANT LOT	ROSWELL DR	04/12/2020	APPROVED	04/12/2018
01/05/2018	HAMBLÉN BRAD	132-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	HAMBLÉN ACCESSORY STRUCTURE	TO ALLOW FOR 24' x 24' POLE BARN WITH A 10' x 24' LEAN-TO ON A VACANT LOT	2998 MELROSE RD		APPROVED	02/08/2018
08/04/2017	BRUINGTON, COLLEEN & ROBERT	105-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE CONSTRUCTION OF A 30'X30' CARPORT ON A VACANT LOT	LEITCHFIELD RD		APPROVED	09/07/2017
07/11/2017	COTTRELL, FARRAH	046-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE RECONSTRUCTION OF A 24'X20' BARN ON VACANT PROPERTY	821 NATHANS LN		APPROVED	08/03/2017
06/01/2017	KELLY, SUE & GREG	259-00-01-036	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	CARTWRIGHT ESTATES	TO ALLOW FOR THE CONSTRUCTION OF A 16'X36' ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE ( VACANT )	520 CARTWRIGHT ESTATES ROAD		APPROVED	06/22/2017
03/28/2017	MCCOY LAVONE	039-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WIREMAN FARM TR 21	TO ALLOW FOR THE EXISTING 36' x 60' BARN TO BE LOCATED ON A VACANT 3 ACRE LOT	1233 LONG HOLLOW ROAD		APPROVED	04/20/2017
09/19/2016	BIGLER, STEVEN	165-00-00-011	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE TO REMAIN ON THE PROPERTY FOR RESIDENTIAL USE WITHOUT A DWELLING ON SITE ( VACANT )	3750 RINEYVILLE RD		APPROVED	10/20/2016
12/30/2014	Juergen Schwan	230-00-00-042	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	/ Eden Falls Subdivision, Lot 2	to obtain approval to allow the two existing outbuildings to exist on Lot 2 as shown without a residence. (A residence may be constructed in the future for Juergen Schwan.) ( VACANT )	379 Adams Lane		WITHDRAWN	
03/02/2011	ROBERT AMMERMAN	273-00-00-015	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (STORAGE SHED 21' X 21') TO REMAIN ON A VACANT PARCEL	VALLEY CREEK ROAD (KY 567)		APPROVED	
11/15/2010	CAROLYN KELLER	241-00-03-038	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE1 / STONERIDGE SUBDIVISION	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (GARAGE 25' X 40') TO REMAIN ON A VACANT PARCEL	FEATHERSTONE COURT	06/09/2013	APPROVED	
08/08/2010	TOMMY & MAUDINA THURMAN	053-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW A PROPOSED ACCESSORY STRUCTURE (GARAGE 24' X 60') ON A VACANT PARCEL	SALT RIVER ROAD (KY 920)	09/05/2010	APPROVED	
12/21/2009	CHARLES AND MARY ARMSTRONG	139-10-01-005	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	ACCESSORY STRUCTURE	AN ACCESSORY BUILDING (30' X 40') WITHOUT A DWELLING ON THE PROPERTY ( VACANT )	RED HILL ROAD	02/21/2010	APPROVED	



**GENERAL CONDITIONS** In granting any Conditional Use Permit, the Board shall designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements set out in the Zoning Ordinance and that it will continue to so do. Such conditions may include, but are not limited to the following:

- A. Secure a financial security to insure completion or construction of imposed conditions;
- B. Reasonable time limits may be imposed to insure completion of the project in question or any individual components of the project, if none are established, the project shall be complete in one year;
- C. Conditions may be imposed to abate or restrict noise, smoke, dust, light, or other elements that may affect surrounding properties;
- D. Establish building setbacks and yard requirements necessary for orderly expansion and to prevent traffic congestion;
- E. Provide for adequate parking and ingress and egress to public streets and roads;
- F. Provide the adjoining property with a buffer or shield from view of the proposed use;
- G. Establish minimum dwelling unit square foot requirements in order to protect property values;
- H. Establish Hours of Operation for businesses and commercial activities;
- I. Establish limits as to the scope and intensity of activities conducted under the Conditional Use Permit;
- J. Establish time limits for the Conditional Use Permit at which time the permit shall expire or require renewal;
- K. Conditional Uses shall comply with all applicable standards of the Zoning Ordinance, including the parking, landscape, lighting and signage regulations. Additional standards may be included in the listed requirements for a particular use;
- L. All other plans, licenses, permits and documentation from/for other agencies may be required by the Board.

## 16-5 ACCESSORY STRUCTURES

An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. These standards apply when the accessory structure is developed prior to the start of construction of the principal structure on the property. This regulation does not apply to agricultural uses and related accessory structures.

1. Location. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable setbacks of the zone in which it is located.
2. Agriculture. Accessory structures for agricultural uses shall comply with the building setback requirements for the principal structures of the zone in which it is located.
3. Distance. The minimum distance between buildings shall be five (5) feet.
4. Size. All accessory structures shall be subordinate in scale to the principal structure.

**Conditions may include, but are not limited to the following:**

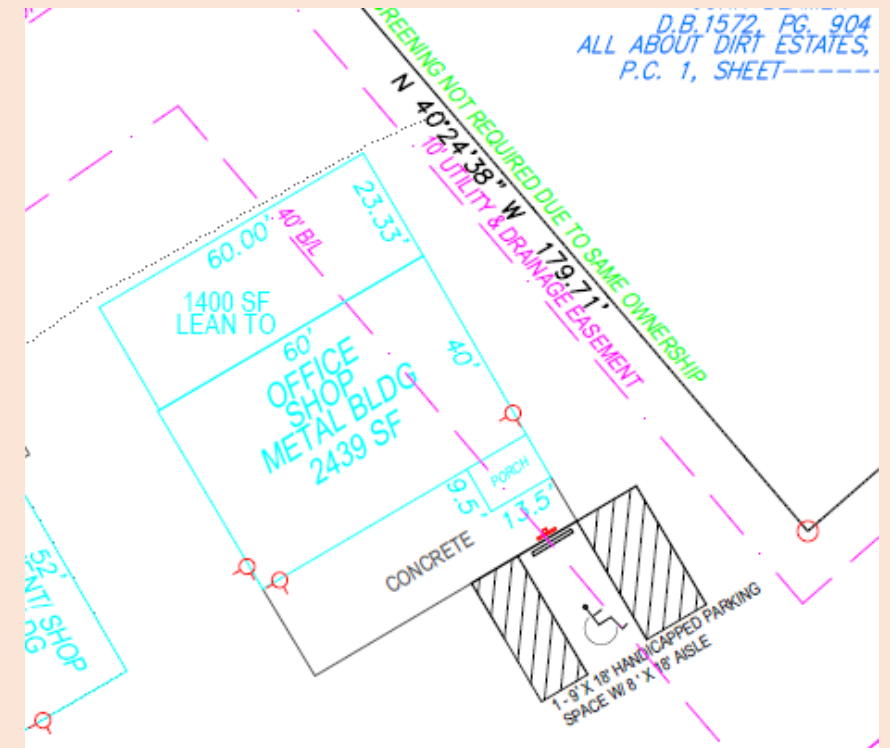
**DGS [5-3(A)]**

***I make a Motion to Approve the Conditional Use Permit with the Following Conditions:***

***Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Issuance outlined in the Development Guidance System, Zoning Ordinance 16-3.***

- 1.This Conditional Use Permit shall allow for the proposed 24’x26’ garage on a vacant tract without a dwelling on site.**
- 2.The structure is for residential storage and shall not be occupied or used as a dwelling or for any commercial activity.**
- 3.Additional landscaping and/or screening shall not be required.**
- 4.A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.**
- 5.Building and Electrical permits must be secured thru the KBC Building Program of our office.**
- 6.A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

Owner: John Beamer  
All About Dirt & Remodeling, LLC



**Location** A 3.102 acre site located at 43 Botto Avenue, Elizabethtown, KY to be known as Lot 2 of All About Dirt Estates

**Zoned** General Commercial (C-2)

**Request for a **Variance** from the 40' building setback where commercial property adjoins residential property to allow for a proposed lean-to addition to the existing office/shop.**



# **43 Botto Avenue**

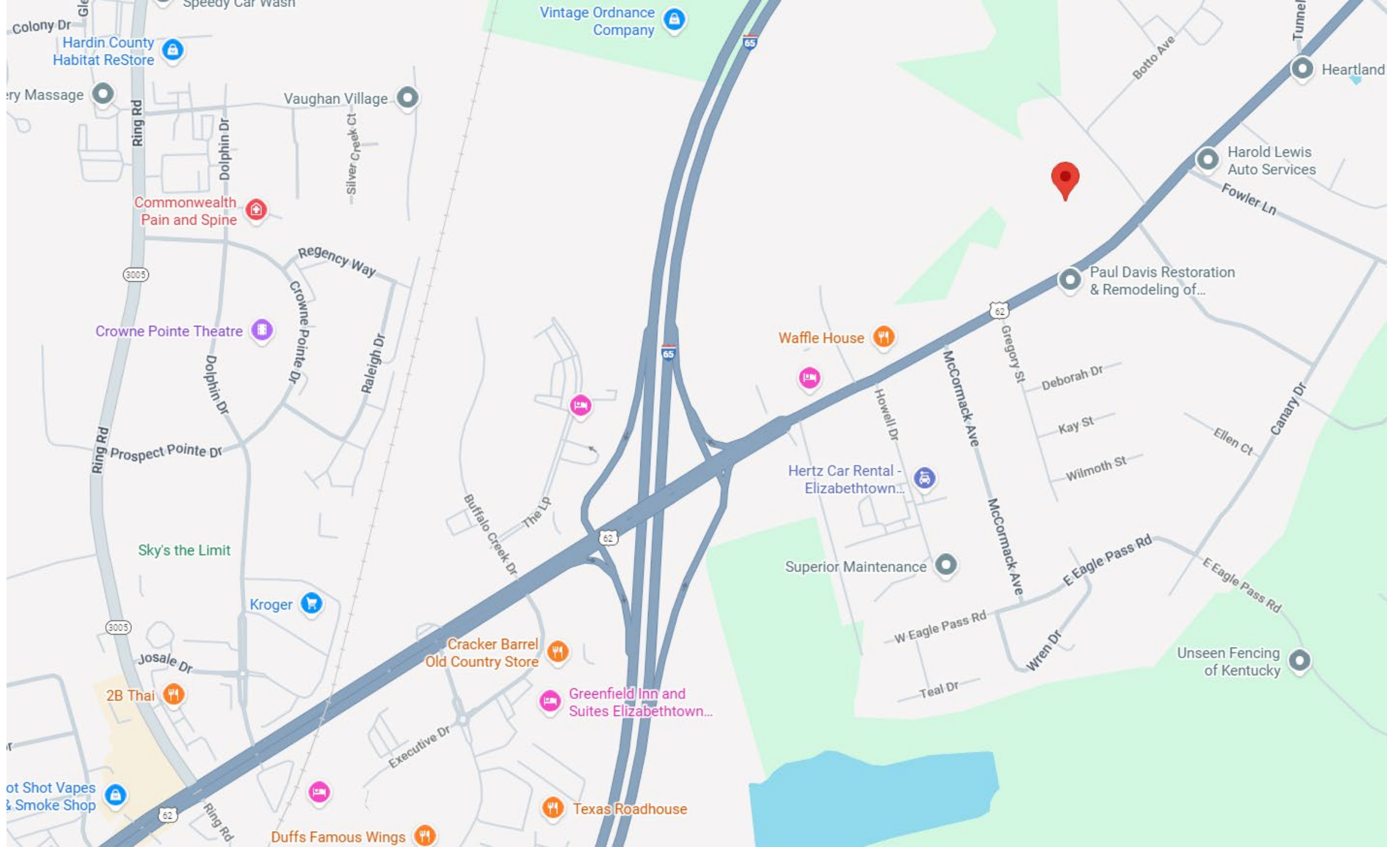
Variance

SUMMARY REPORT

## **LISTING OF EXHIBITS**

- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Record Plat of All About Dirt Estates**
- E. Development Plan for All About Dirt & Remodeling**
- F. Character of the Site Analysis**
- G. Photos of the Site**
- H. Analysis of other Variances adjacent to residential zones**
- I. \*Comprehensive Development Guide**
- J. \*Development Guidance System Ordinance**

**\* Not Provided in PowerPoint**



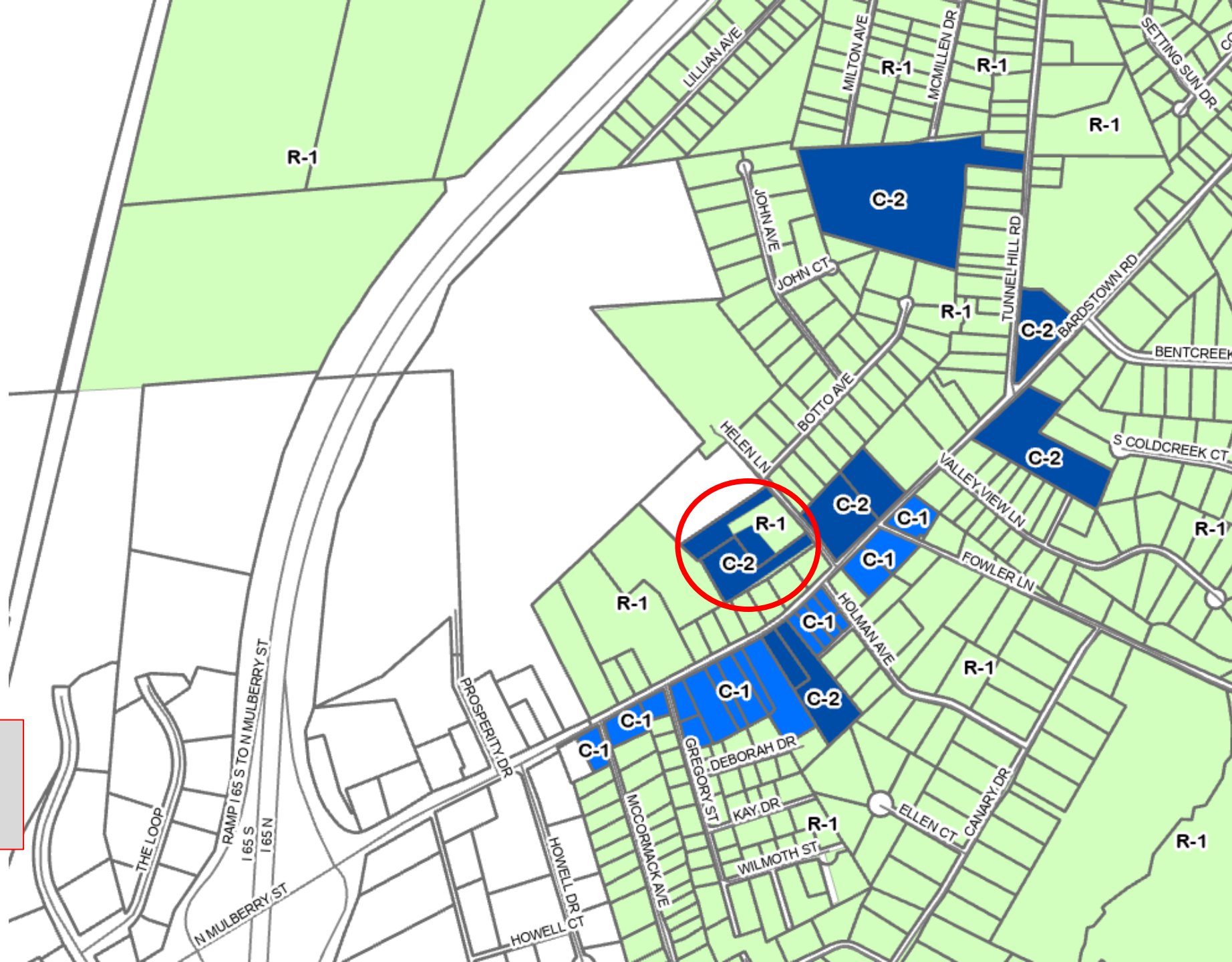






☐ MasterZone  
DISTRICT

- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4



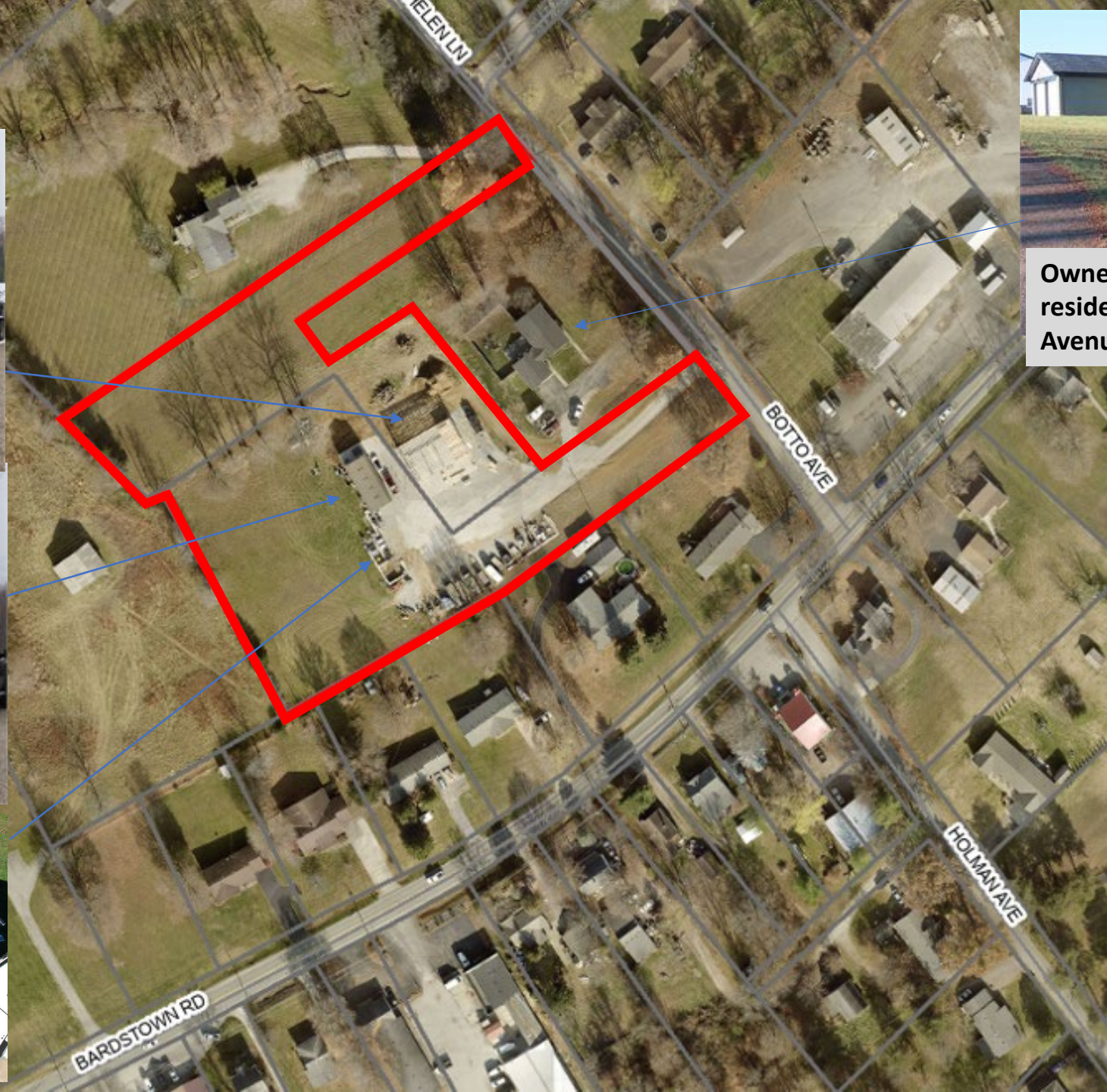
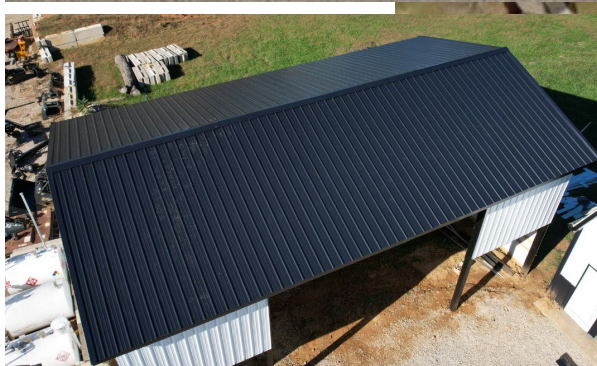
**Zoning Change from R-1  
to C-2 in December of  
2025**







Character of the  
3.102 acre site



Owner lives on the adjoining  
residential property at 59 Botto  
Avenue



COMPLIES WITH 201 KAR 18:150.

RECORD PLAT OF

ALL ABOUT DIRT ESTATES

43 AND 59 BOTTO AVENUE, ELIZABETHTOWN, KY

OWNER AND DEVELOPER: JOHN BEAMER  
59 BOTTO DRIVE  
ELIZABETHTOWN, KY 42701

SURVEYED BY: CLEMONS AND ASSOCIATES - DARREN L. CLEMONS  
522 NORTH MULBERRY STREET, ELIZABETHTOWN, KY. 42701

Existing drive into Johnson property. In use for more than 36 years (1988) according to historic aerial maps.

to the entrances shall require approval of the Hardin County Road Department.

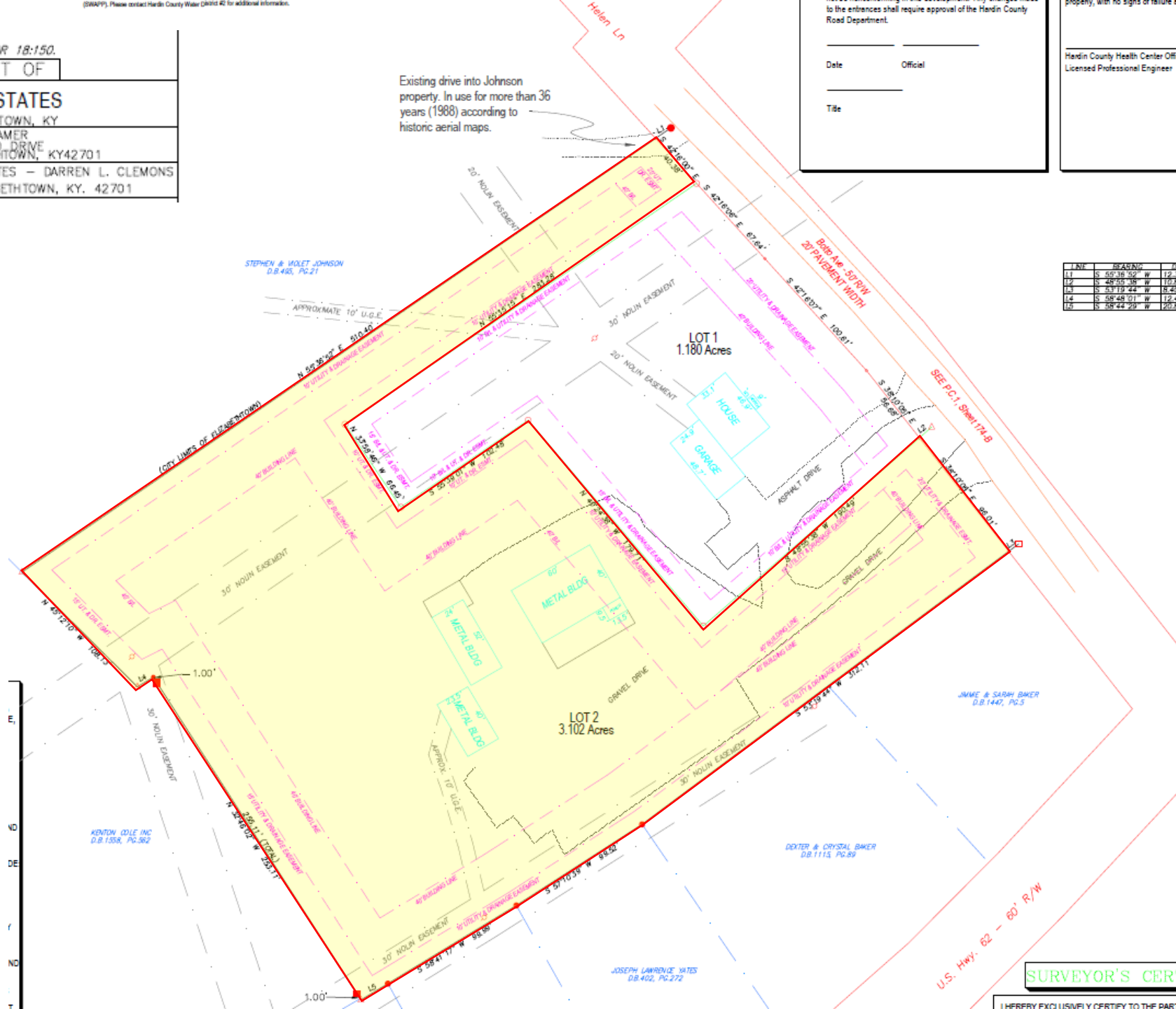
Date

Official

Title

Hardin County Health Center Official  
Licensed Professional Engineer

LINE	BEARING	FEET
11	S 55°36'52" W	12.34
12	S 45°03'38" W	10.81
13	S 51°19'42" W	14.49
14	S 58°48'01" W	12.41
15	S 58°44'29" W	20.81



SURVEYOR'S CERT

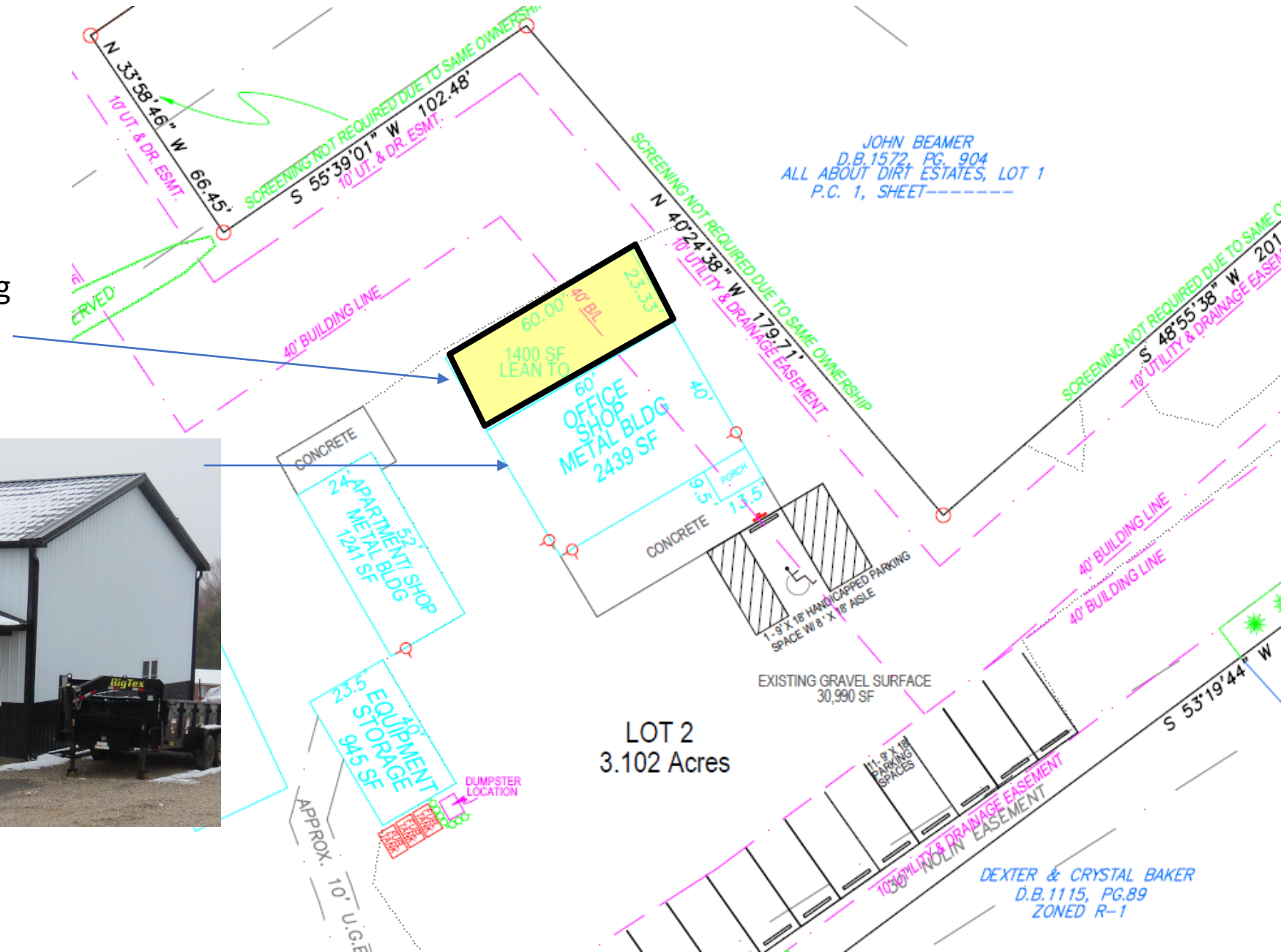
I HEREBY EXCLUSIVELY CERTIFY TO THE PART

## John Beamer

43 Botto Avenue, Elizabethtown, KY  
Variance from the side building setback (where commercially zoned property adjoins residential) to allow for a lean to addition on to an existing office/shop building

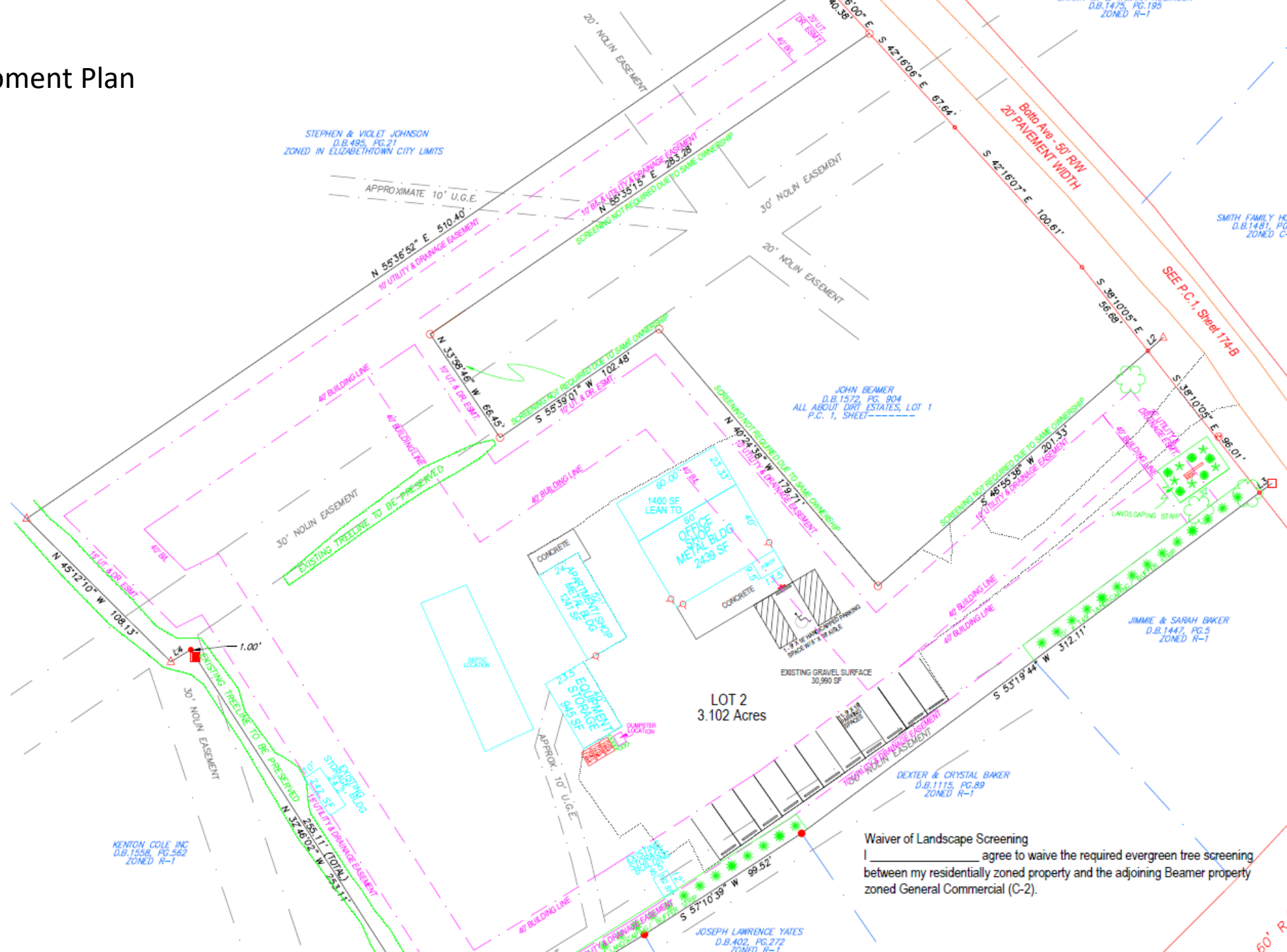


Existing 40' x 60' Building





## Development Plan



Zoned: R-1

## VARIANCE REQUEST

Proposed Lean to is 18.3' off property line

40' B/L where commercial adjoins residential

## 21.7' VARIANCE











40'X60' detached garage (2023)

- Will require a Change of Use Building Permit to meet Commercial Building Code.

Currently used as garage and offices but permitted as a garage









### Second Floor













































Other Variances for setbacks  
adjacent to residential zones

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Expiration Date ⬆	Status ⬆	Final Date ⬆
01/12/2026	BEAMER, JOHN M	231-40-00-034	VARIANCE	C-2 - GENERAL COMMERCIAL ZONE	ALL ABOUT DIRT ESTATES, LOT 2	VARIANCE FROM THE BUILDING SETBACKS WHERE COMMERCIAL ADJOINS RESIDENTIAL TO ALLOW FOR A PROPOSED LEAN-TO ADDITION TO THE EXISTING OFFICE/SHOP	43 BOTTO AVENUE, ELIZABETHTOWN, KY	04/22/2026	PENDING	
10/16/2025	NALL & SONS LLC	243-00-07-004	VARIANCE	I-2 - HEAVY INDUSTRY ZONE	WACO SUBDIVISION, LOT 4A - NALL TRUCKING	VARIANCE FROM THE 100' BUILDING SETBACK WHERE INDUSTRIAL ZONED PROPERTY ADJOINS RESIDENTIAL ZONE TO ALLOW FOR A 60'X80' ADDITION TO THE EXISTING SHOP	4880 BARDSTOWN ROAD, ELIZABETHTOWN, KY		APPROVED	11/06/2025
03/21/2025	4TH GENERATION PROPERTIES, LLC	234-00-00-018	VARIANCE	C-1 - CONVENIENCE COMMERCIAL ZONE	KERR LANDSCAPING, LLC/4TH GENERATION PROPERTIES, LLC	TO ALLOW FOR A 16' X 8' COVERED FRONT PORCH WITHIN THE BUILDING 40' SIDE BUILDING SETBACKS ADJACENT TO RESIDENTIALLY ZNED PROPERTIES	1415 HODGENVILLE ROAD		APPROVED	05/08/2025
05/03/2023	VH PROPERTIES LLC	216-00-00-038.05	VARIANCE	I-1 - LIGHT INDUSTRY ZONE	ABSOLUTE SERVICES	TO ALLOW FOR A PROPOSED 100'X120' WAREHOUSE TO BE WITHIN THE 100' SETBACK THAT ADJOINS RESIDENTIAL PROPERTY	6671 SHEPHERDSVILLE ROAD, ELIZABETHTOWN, KY 42701		APPROVED	06/08/2023
10/17/2018	CARDIN, BRIAN & NINA	190-30-00-038	VARIANCE	B-2 - TOURISM AND CONVENIENCE COMMERCIAL ZONE	ACROSS THE TRACKS B&B	TO ALLOW FOR A VARIANCE FROM THE 40' REAR SETBACK LINE (WHERE COMMERCIAL ADJOINS RESIDENTIAL)	223 HIGH STREET		APPROVED	11/08/2018



## Findings necessary for Granting Variances

### KRS 100.243 and DGS 5-3(B)

1. Before any variance is granted, the Board of Adjustment must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation. In making these findings, the board shall consider whether:
  - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
  - b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.
2. The Board shall deny any request for variance arising from circumstances that are the result of willful violations of this regulation by the applicant subsequent to the adoption of this regulation.



*I make a Motion to **Approve** the Variance with the Following Conditions:*

*Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Variances outlined in the Development Guidance System, Zoning Ordinance 5-3(B)(1) with Finding of Fact:*

(A) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;

(B) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

(C) The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.

Motion to Approve the proposed Variance :

1. **To allow for a Variance from the 40' side building setback (where commercial adjoins residential) to allow for the construction of a 1400 sq. ft. lean-to addition to the existing 60'x40' shop/office to be no closer than 21.7' off the property line.**
2. **A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.**
3. **A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**
4. **Building & electrical permits must be obtained through the KBC program of our office.**

OR

Motion to Deny



Owners: Liliet & Manuel Ruiz  
Applicant: MKB Construction, LLC



Location	Two lots totaling 4.11 acres located at 236 Pipeline Road, Elizabethtown, KY known as Lots 70 & 71 of Quail Hollow Subdivision, Section 2
Zoned	Residential Estate (R-3)

**Request for a Variance from the front building setback along Pipeline Road to allow for an existing house to remain on site.**



# **236 Pipeline Road**

Variance

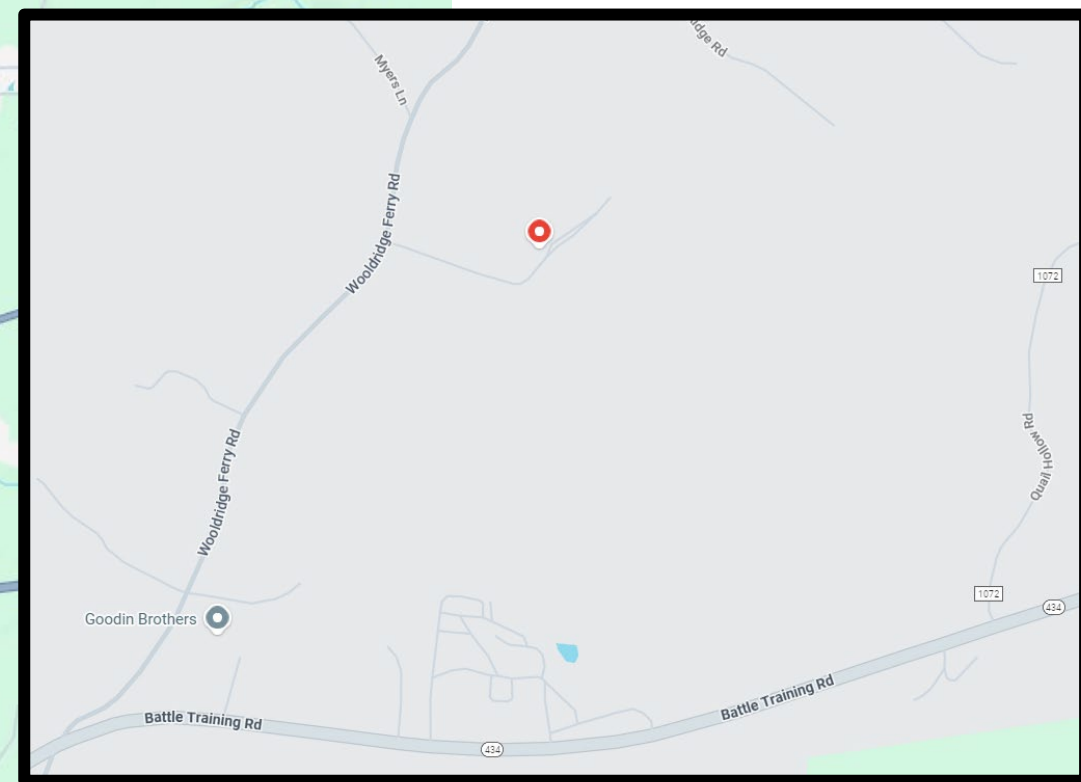
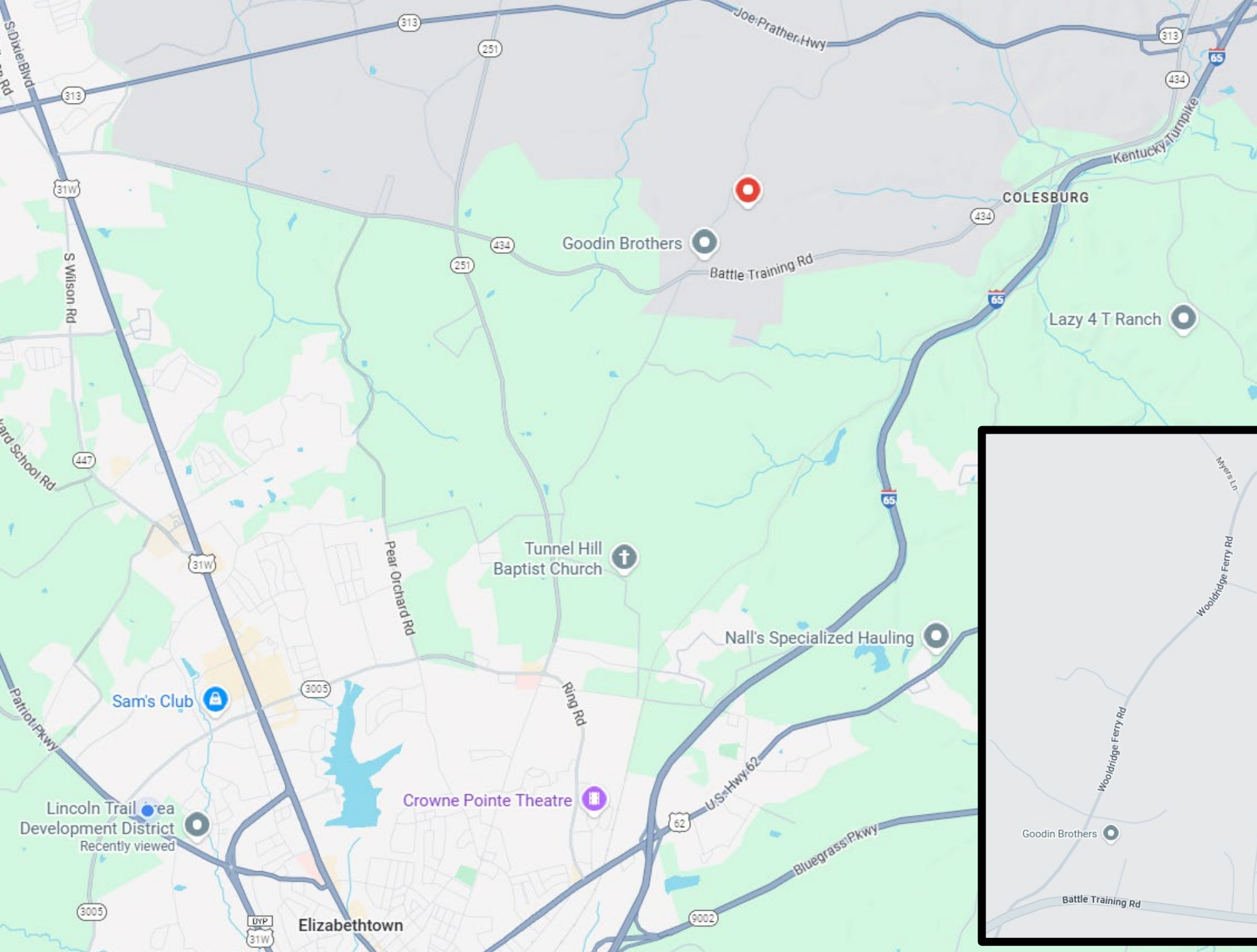
## **SUMMARY REPORT**

### **LISTING OF EXHIBITS**

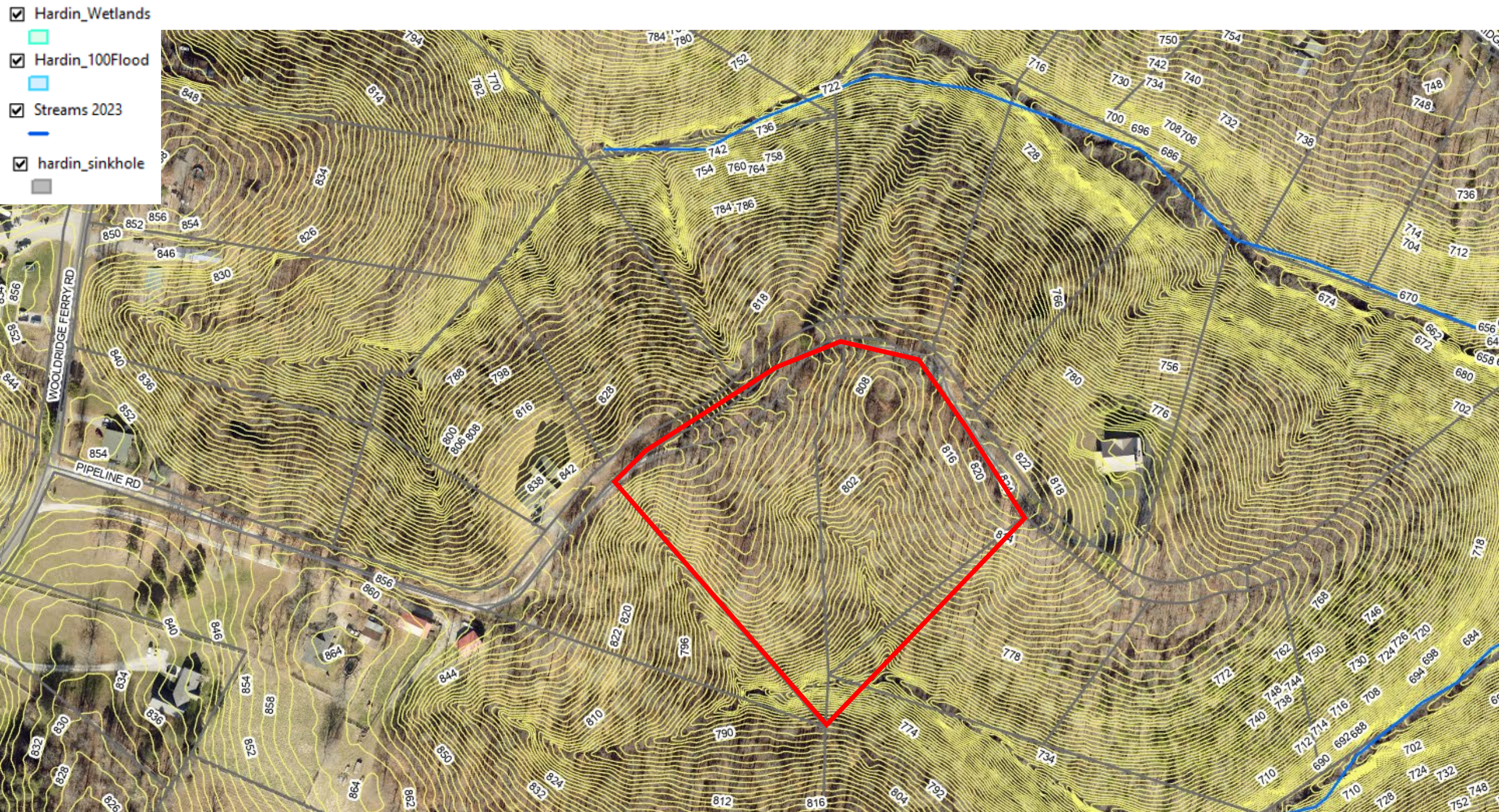
- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Topography of the site**
- E. Record Plat of Quail Hollow Subdivision, Section 2 (1979)**
- F. Proposed Amended Plat**
- G. Photos of the Site**
- H. House Plans**
- I. Analysis of other Variances in Quail Hollow Subdivision**
- J. Character of the Area Analysis (Pipeline Road)**
- K. \*Comprehensive Development Guide**
- L. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint





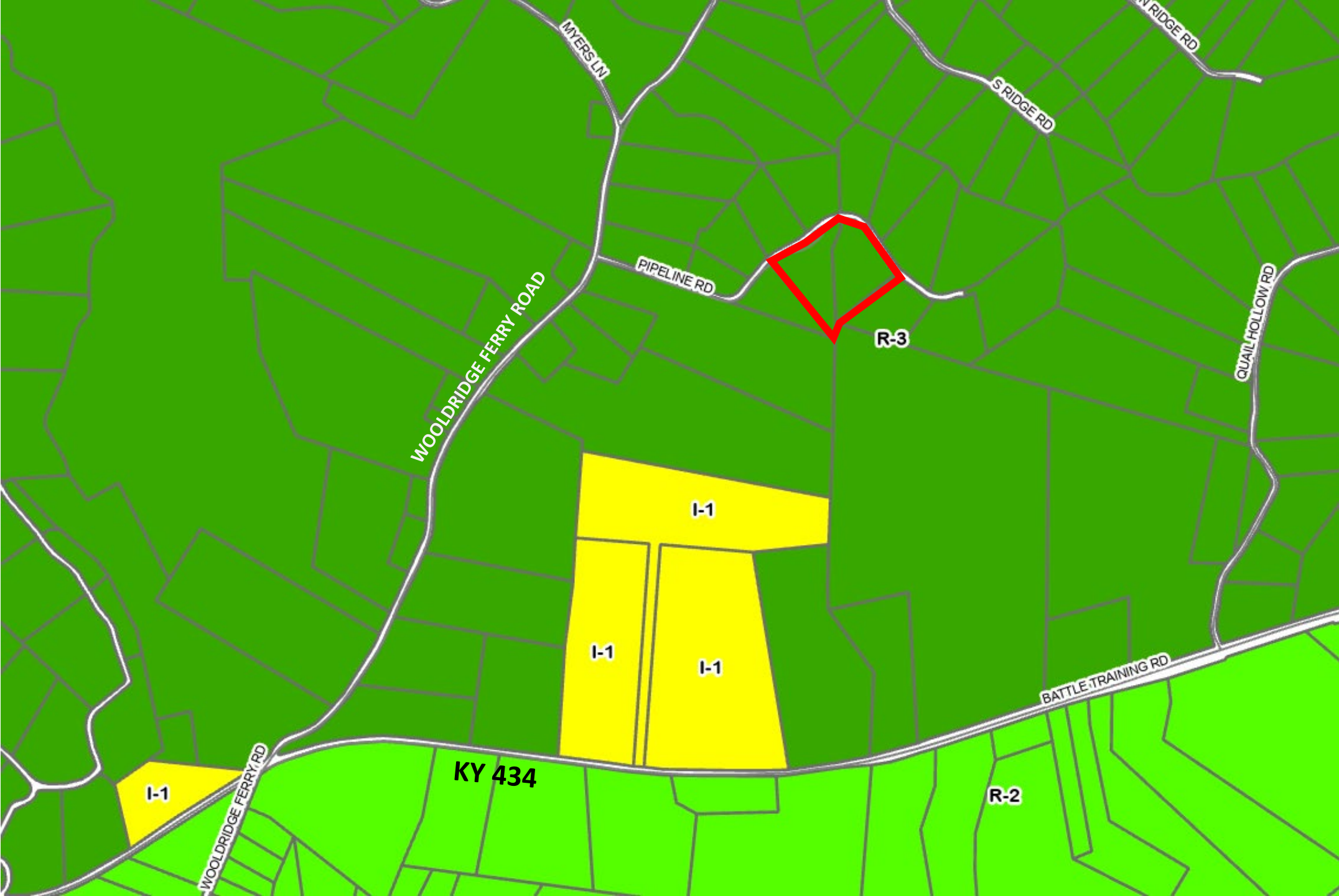






☐ MasterZone  
☒ DISTRICT

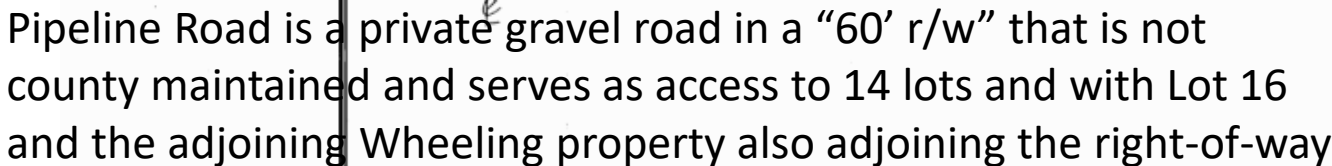
- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4











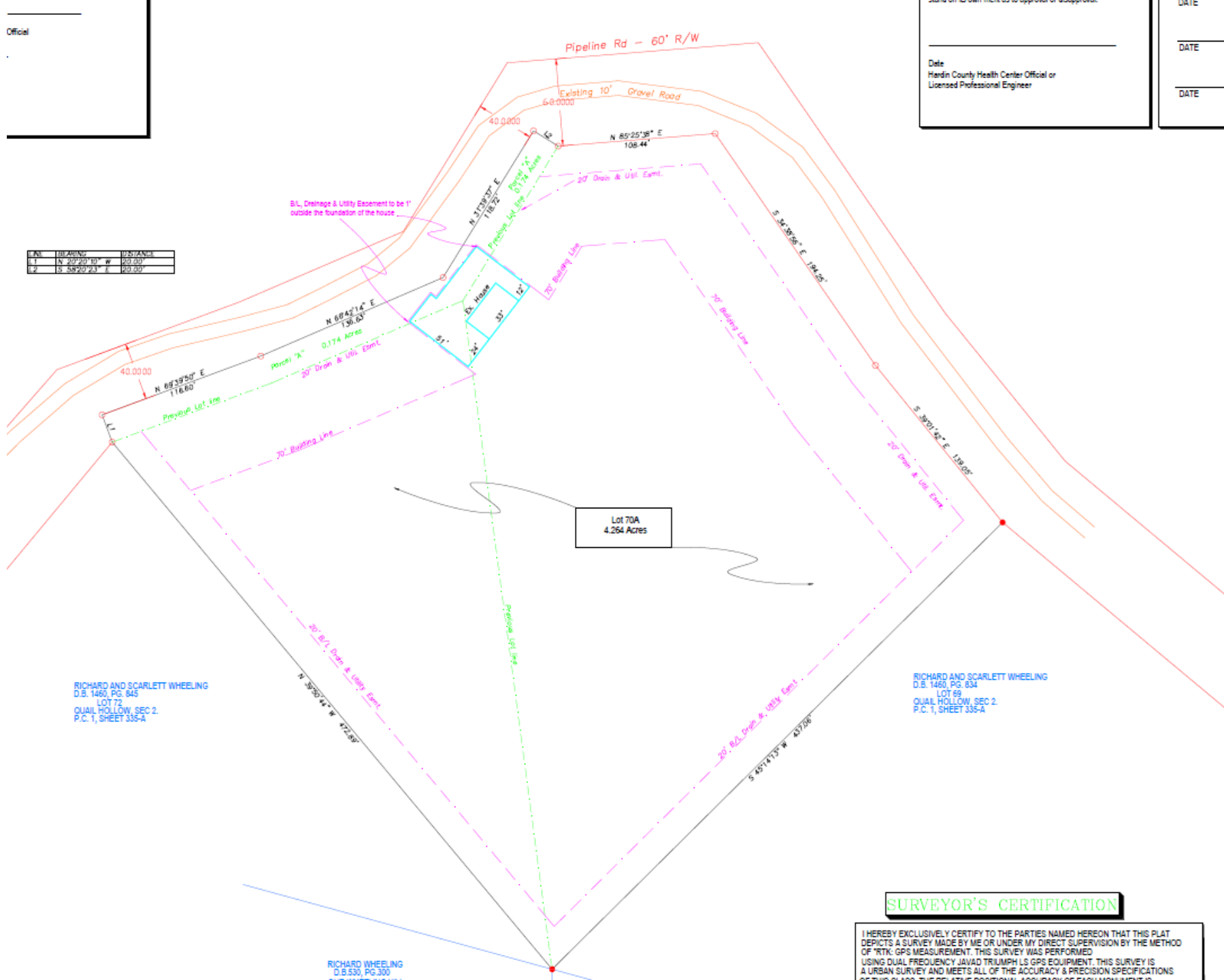






Official

LINE	BEARING	DISTANCE
1	N 20°20'10" W	20.00
2	S 58°20'23" E	20.00



Date  
Hardin County Health Center Official or  
Licensed Professional Engineer

DATE

DATE

### SURVEYOR'S CERTIFICATION

I HEREBY EXCLUSIVELY CERTIFY TO THE PARTIES NAMED HEREON THAT THIS PLAT DEPICTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION BY THE METHOD OF "RTK" GPS MEASUREMENT. THIS SURVEY WAS PERFORMED USING DUAL FREQUENCY JAVAD TRIUMPH LS GPS EQUIPMENT. THIS SURVEY IS A URBAN SURVEY AND MEETS ALL OF THE ACCURACY & PRECISION SPECIFICATIONS

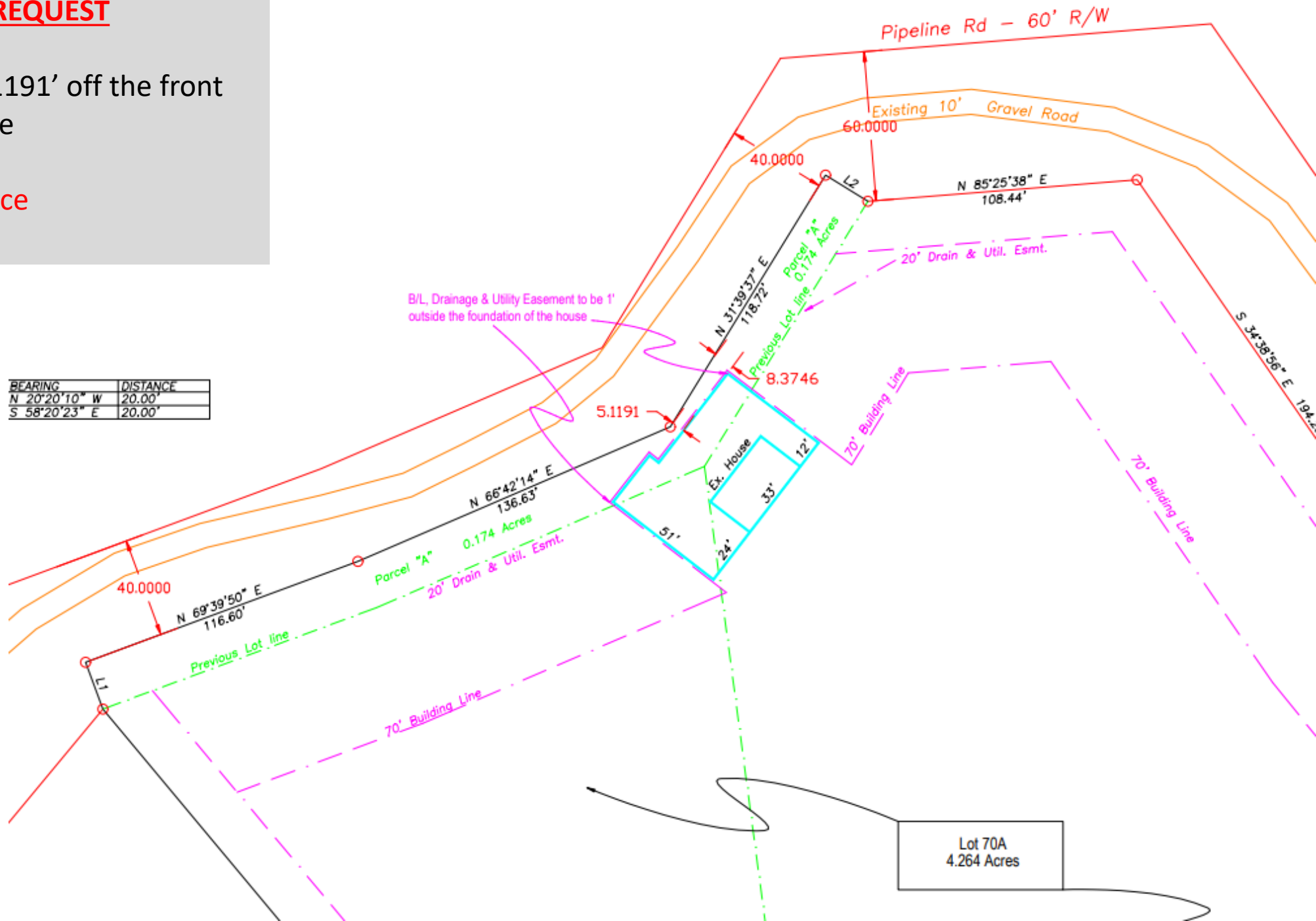


## VARIANCE REQUEST

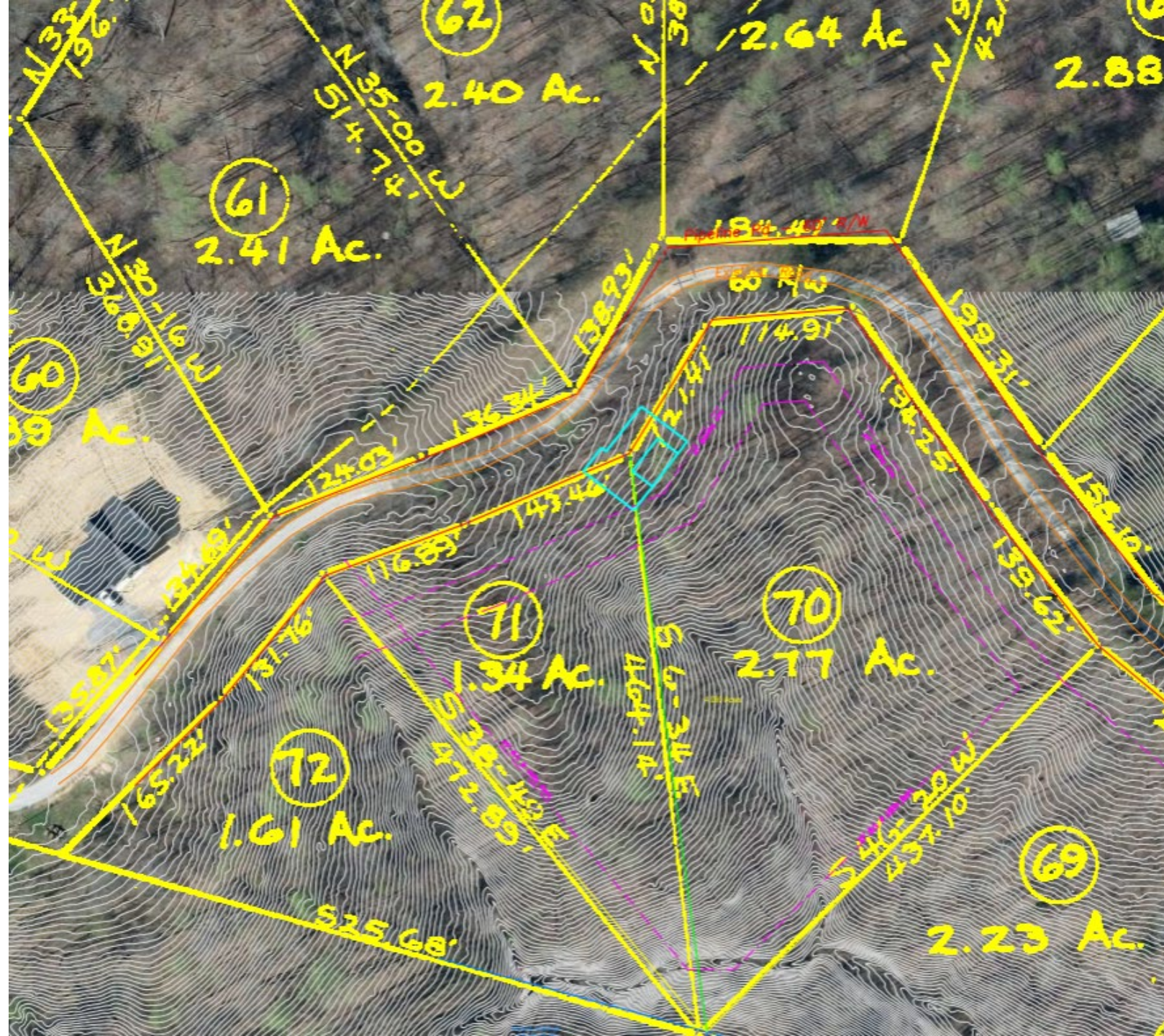
House is 5.1191' off the front property line

$\pm 65'$  Variance

BEARING	DISTANCE
N 20°20'10" W	20.00'
S 58°20'23" E	20.00'

































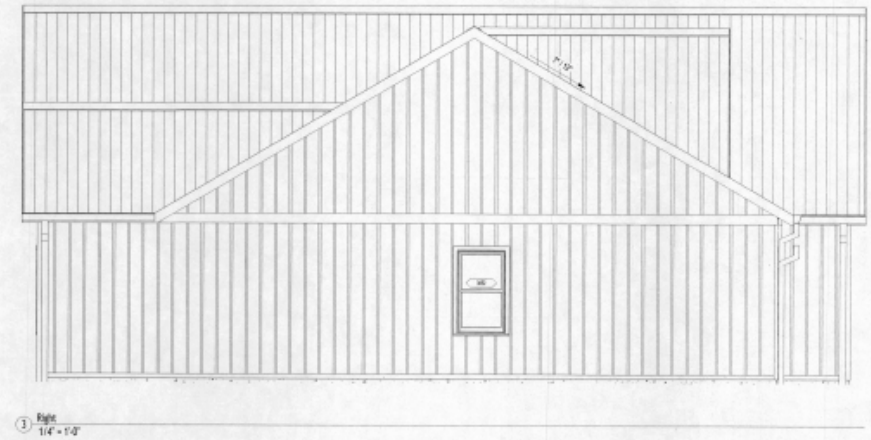
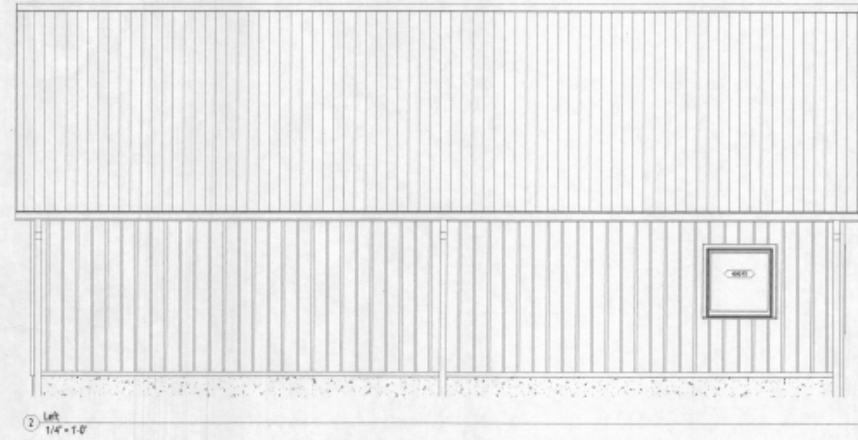




Pipeline clearing

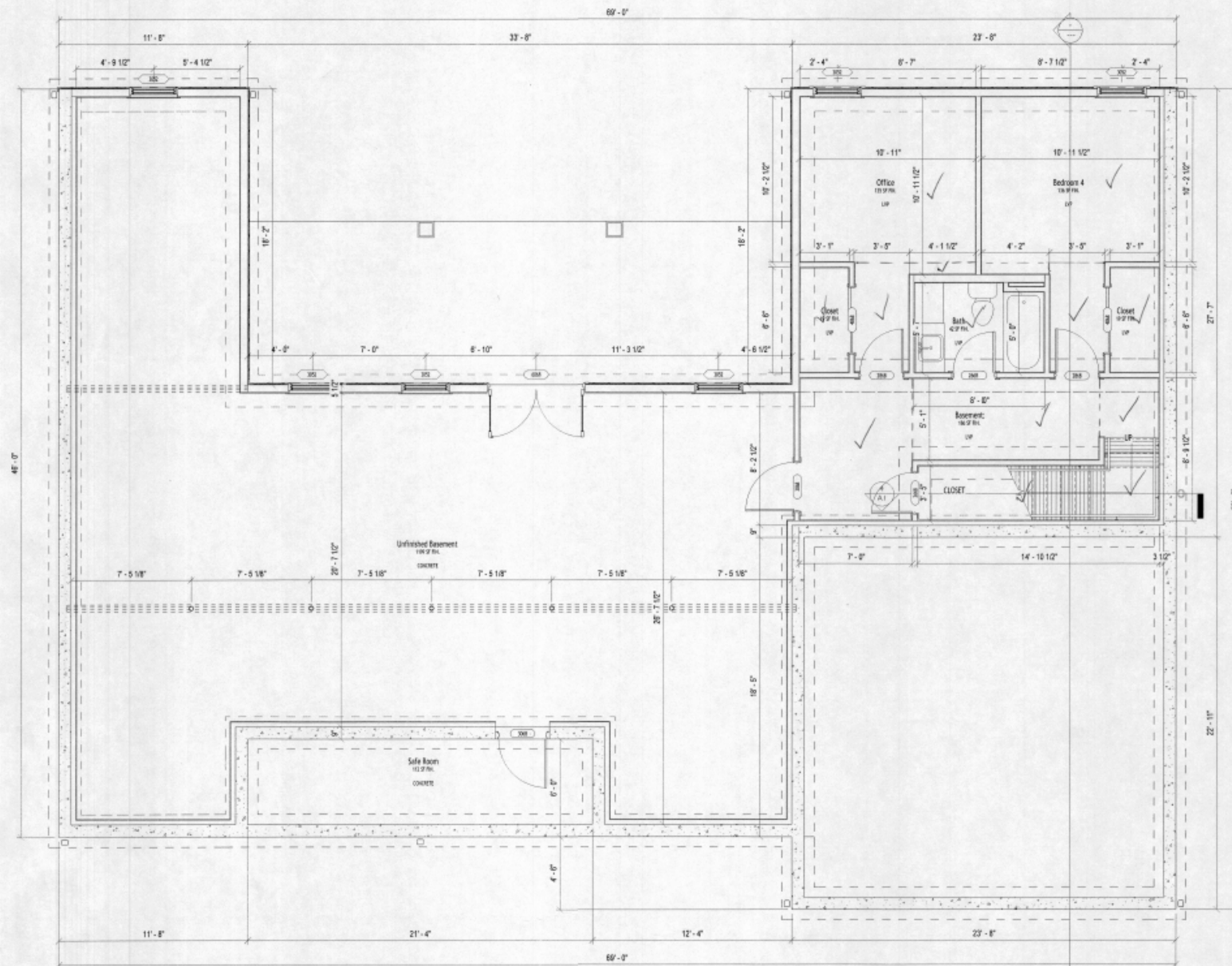




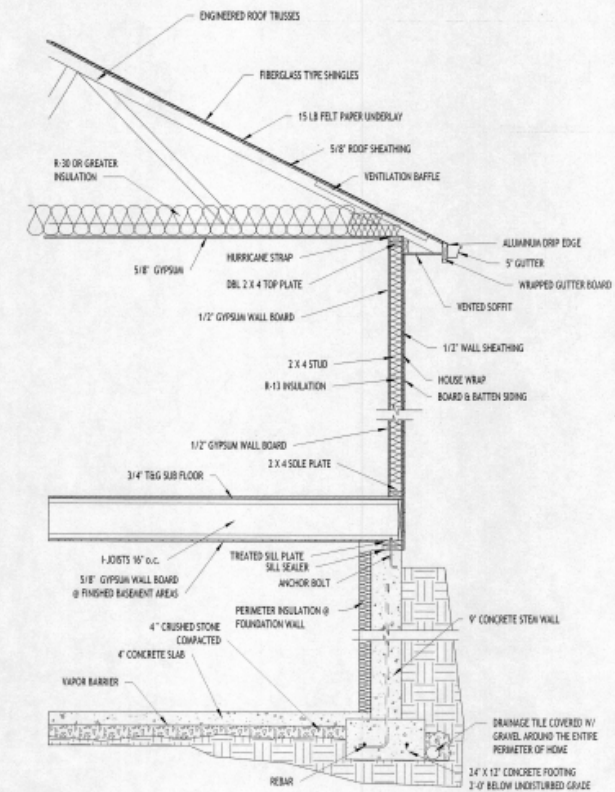


APPROVED PLANS PER  
IRC SECTION 106.3.1  
JAN 16-16-20





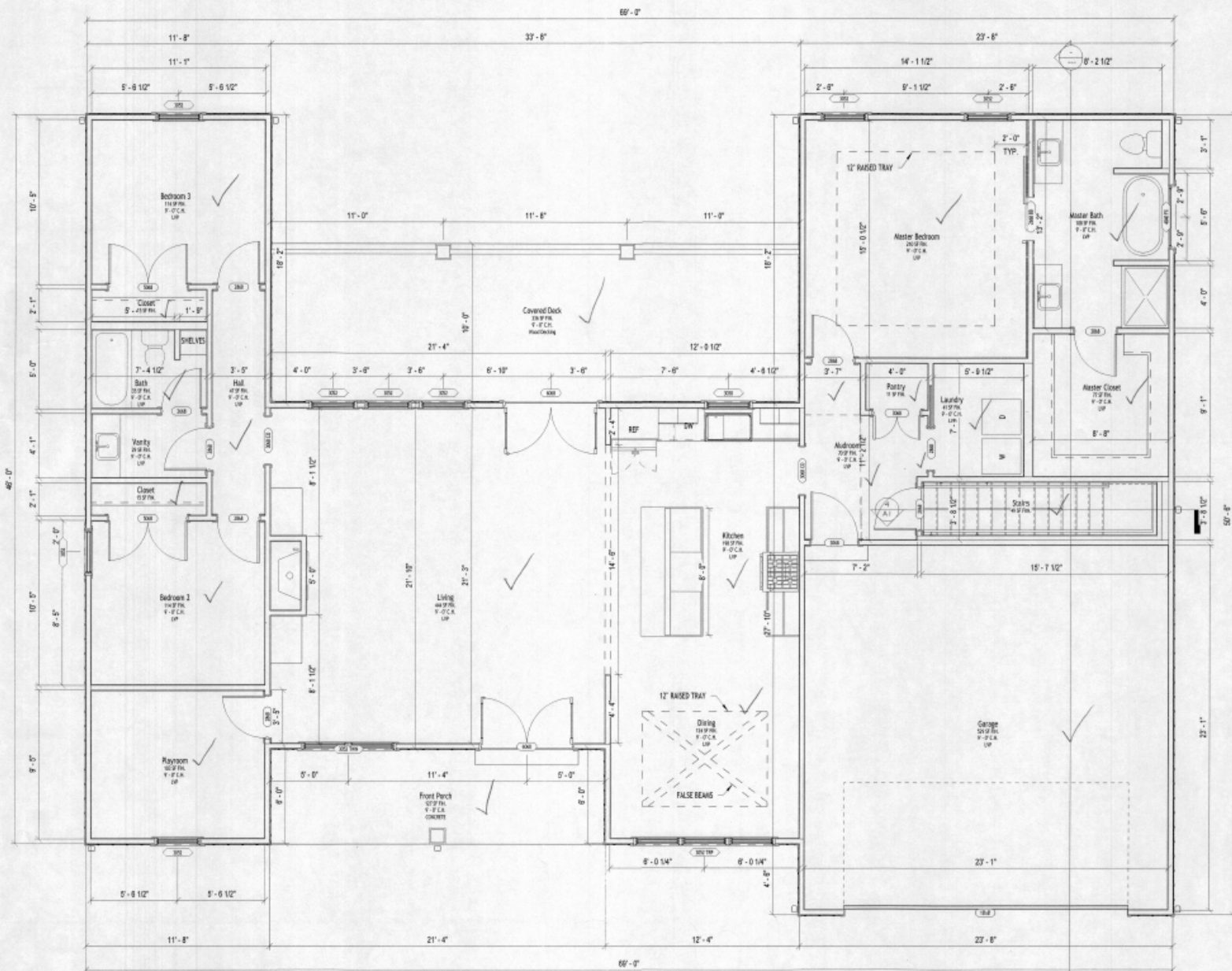
1 Basement  
1/4" = 1'-0"



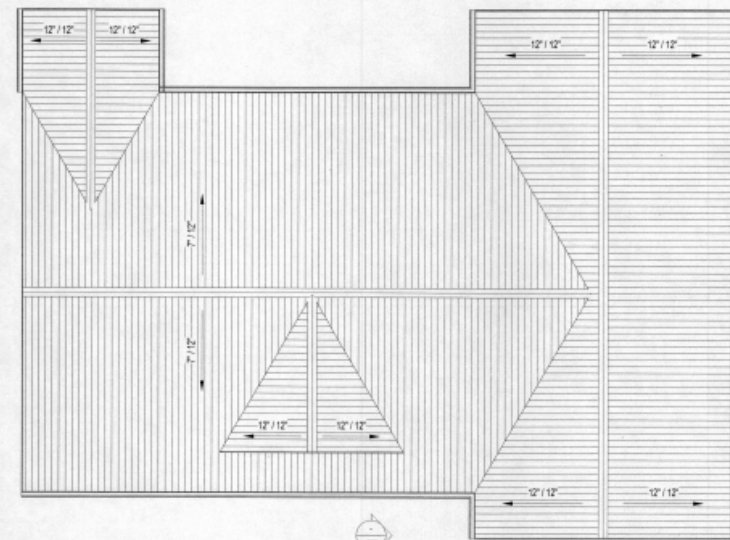
2 Typical Wall Section  
1/2" = 1'-0"





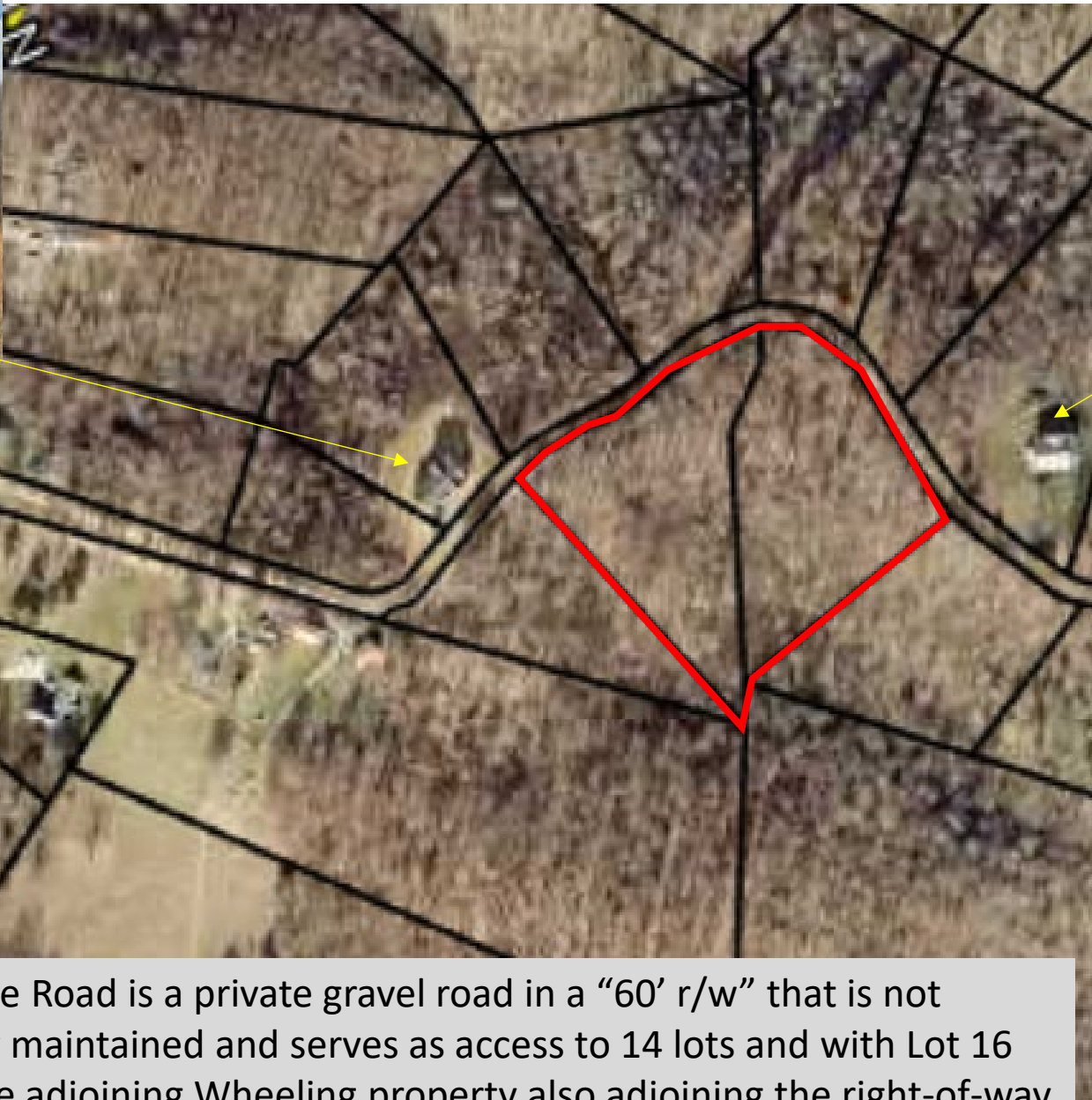


② Main Level Area  
1/8" = 1'-0"



③ Roof Overview  
1/8" = 1'-0"





Pipeline Road is a private gravel road in a “60’ r/w” that is not county maintained and serves as access to 14 lots and with Lot 16 and the adjoining Wheeling property also adjoining the right-of-way There are now 3 homes accessed off the road.



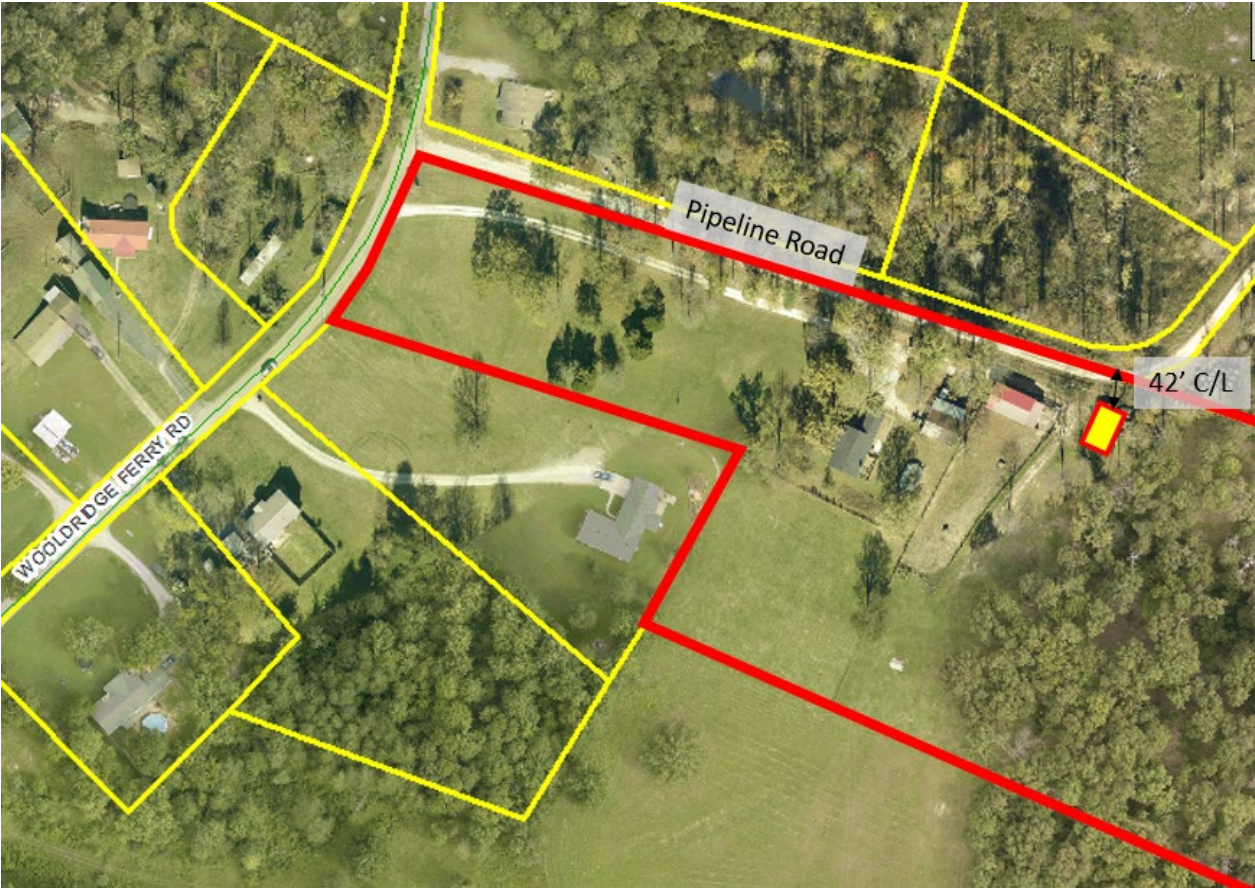
Other Variances in Quail Hollow Subdivision

Permit Date	Owner	PVA Map Number	Type	Zone	Project / Subdivision Name	Request	Site Address	Expiration Date	Status
01/12/2026	RUIZ, MANUEL & LILIET	240-00-01-070	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	QUAIL HOLLOW SUBDIVISION LOT 70, SEC 2	TO ALLOW FOR A VARIANCE FROM THE FRONT BUILDING SETBACK ALONG PIPELINE ROAD TO ALLOW FOR AN EXISINT HOUSE TO REMAIN ON SITE	236 PIPELINE ROAD	04/22/2026	PENDING
09/21/2023	MCLAIN MARSHA	228-00-01-058	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	QUAIL HOLLOW, LOT 58: MCLAIN CARPORT VARIANCE	TO ALLOW FOR A CARPORT TO BE 8' FROM THE SIDE PROPERTY LINE	29 S RIDGE RD		APPROVED
07/11/2022	KNIGHT WILLIAM H & PEGGY J	228-00-01-057	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	QUAIL HOLLOW, LOT 57 - VARIANCE FROM FRONT BUILDING SETBACK FOR SHED	SHED WITHIN THE FRONT BUILDING SETBACK	55 S. RIDGE ROAD, ELIZABETHTOWN, KY		APPROVED
05/06/2022	MCLAIN MARSHA	228-00-01-058	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	QUAIL HOLLOW, SECTION 1, LOT 58 - MCLAIN COVERED 26'x10' FRONT PORCH	FROM THE FRONT BUILDING SETBACK ALONG SOUTH RIDGE ROAD, TO ALLOW FOR A PROPOSED COVERED 26'x10' FRONT PORCH	29 SOUTH RIDGE ROAD, ELIZABETHTOWN, KY 42701		APPROVED
08/02/2019	PADGETT GARY	228-00-01-008	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	QUAIL HOLLOW, LOT 8	TO ALLOW FOR VARIANCE FROM THE FRONT BUILDING SETBACK ALONG NORTH RIDGE ROAD FOR A PROPOSED SHED	15 N RIDGE RD		APPROVED
07/22/2009	GARY FOSTER	240-00-01-043	VARIANCE		FRONT SETBACK LINE / QUAIL HOLLOW	RELIEF FROM 70' FRONT SETBACK LINE TO ACCOMMODATE A PROPOSED SITE BUILT HOME	92 S. RIDGE ROAD	09/20/2009	APPROVED
07/06/2009	JOHNNY AND MELINDA THOMPSON	228-00-01-008	VARIANCE		FRONT AND REAR SETBACK LINES / QUAIL HOLLOW LOT 8	RELIEF FROM THE FRONT SETBACK LINE AND REAR SETBACK LINE	NORTH RIDGE ROAD	09/06/2009	APPROVED
03/25/2004	GOODIN	228-00-01-013	VARIANCE		QUAIL HOLLOW SUBDIVISION / QUAIL HOLLOW, SECTION 1, LOT 13		WOOLDRIDGE FERRY ROAD	04/29/2004	APPROVED
Records 1 to 8 (of 8)									

Other Variance on Pipeline Road

09/14/2022	WHEELING RICHARD	229-00-00-032	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	OUR WHEELING HILLS, LOT 1 - WHEELING 26'X36' BARN	VARIANCE FROM THE FRONT SETBACK ALONG PIPELINE ROAD TO ALLOW FOR THE CONSTRUCTION OF A 26'X36' BARN ON SITE	3190 WOOLDRIDGE FERRY ROAD, ELIZABETHTOWN, KY 42701		APPROVED
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VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	OUR WHEELING HILLS, LOT 1 - WHEELING 26'X36' BARN	VARIANCE FROM THE FRONT SETBACK ALONG PIPELINE ROAD TO ALLOW FOR THE CONSTRUCTION OF A 26'X36' BARN ON SITE	3190 WOOLDRIDGE FERRY ROAD, ELIZABETHTOWN, KY 42701
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## Findings necessary for Granting Variances

### KRS 100.243 and DGS 5-3(B)

1. Before any variance is granted, the Board of Adjustment must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation. In making these findings, the board shall consider whether:
  - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
  - b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.
2. The Board shall deny any request for variance arising from circumstances that are the result of willful violations of this regulation by the applicant subsequent to the adoption of this regulation.



*I make a Motion to **Approve** the Variance with the Following Conditions:*

*Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Variances outlined in the Development Guidance System, Zoning Ordinance 5-3(B)(1) with Finding of Fact:*

(A) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;

(B) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

(C) The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.

Motion to Approve the proposed Variance :

1. To allow for a Variance from the front building setback to allow for the existing home to remain on site.
2. The “right-of-way” shall be reduced from 60’ to 40’ after agreement by all lot owners beyond these lots in writing on the record plat so that the home is outside the “right-of-way”.
3. All future structures and/or additions must comply with building setbacks.
4. An Amended Record Plat shall substitute for the required Site Plan.
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

OR

Motion to Deny